renounce communism and seek asylum. I hope that this bill, text of which is printed below, will receive early consideration by the House:

H. R. 8000

A bill to promote the national security of the United States, and for other purposes

Be it enacted, etc., That this act may be cited as the "Political Asylum Act of 1954."

DEFINITIONS

SEC. 2. (a) "Communist country" means the Union of Soviet Socialist Republics and any country declared, pursuant to this act, by the Secretary of State to be governed or dominated by the Union of Soviet Socialist Republics or any other branch or subdivision of the international Communist movement.

(b) "Communist government official" means any person who is an officer, employee, or member of the military, naval, or air forces, of any Communist country, or of the foreign service, or of the security or the inteligence organization of such country, or of any agency working for a Communist country as defined in section 2 (a) of this act.

SPECIAL NONIMMIGRANT VISAS

SEC. 3. Notwithstanding the provision of section 212 (a) (28) of the Immigration and Nationality Act (66 Stat. 184), a special nonimmigrant visa may be issued to any alien Communist government official and his wife and his children, who—

(a) renounce his allegiance to the Communist country's government and to the international Communist conspiracy which he has been serving;

(b) departs from a Communist country and proceeds to a country in the free world, or, being physically outside the border of a Communist country, refuses to return thereto;

(c) is determined, under procedures to be prescribed by the President, to possess information or other assets of special value to the United States in furtherance of its security program, and not to constitute a menace to the security of the United States of America; and

(d) agrees, actively, to cooperate with the United States in programs to expose and to defeat the purposes of the international Communist conspiracy.

AUTHORITY TO TERMINATE VISAS

SEC. 4. Nonimmigrant visas issued pursuant to this act shall be terminated by the Secretary of State whenever the country of origin of the alien shall no longer be governed or dominated by the Communist conspiracy: *Provided*, That the personal safety of the alien would not thereby be placed in jeopardy. The Secretary of State is further authorized to revoke any such visa when the best interest of the United States so requires.

NUMBER OF VISAS

SEC. 5. Not more than 1,000 such visas shall be issued pursuant to this act.

REPORTS

SEC. 6. The President shall report to the Congress on the operation of the program established under this act on December 31 of each year.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this act.

SENATE

TUESDAY, FEBRUARY 23, 1954

(Legislative day of Monday, February 8, 1954)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Father of mankind, to whom all souls are dear, while for this hallowed moment we bow and are silent, breathe on us, breath of God, fill us with life anew. We confess that unmindful of how fallible we are, forgetting that a humble and a contrite heart is the only sacrifice Thou dost require, too often pride of our own attitudes and opinions blinds us to the inadequacy of our judgments. We would put the direction of our lives into Thy hands, knowing that our wills are ours to make them Thine.

As in the hectic hours of these confused days, when the air is filled with bitter words, we turn to face waiting tasks and problems, bestow upon us the gifts of understanding, kindness, courtesy, and self-control. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 22, 1954, was dispensed with.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KNOWLAND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

MEMBER OF FEDERAL RECORDS COUNCIL

The VICE PRESIDENT. Under authority of the act of September 5, 1950, the Chair appoints Allen N. Humphrey, Chief of the Records Management and Services Branch of the Office of the Comptroller General, as a member of the Federal Records Council, vice Ellis S. Stone, transferred.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated.

By Mr. GREEN (for himself and Mr. PASTORE):

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Public Works:

"Resolution memorializing Congress to implement and execute plans and recommendations of the Corps of Army Engineers relative to the dredging of Bullock Cove in the town of East Providence

"Whereas the Corps of Army Engineers has submitted plans and recommendations to the Congress of the United States for the dredging and improvement of Bullock Cove, so called, in the town of East Providence to the end that a yacht basin may be created at such site; and

"Whereas the creation of a yacht basin in Bullock Cove in the town of East Providence would advance the desirable objective of improving harbor facilities and extending the recreational advantages of a portion of the Narragansett Bay area; and

"Whereas advancing such objective would be beneficial not only to the people of the town of East Providence but also to the people of the State of Rhode Island as a whole; and

"Whereas said plans and recommendations are to be considered by Congress in the near future; Now, therefore, be it

"*Resolved*, That the State of Rhode Island through the general assembly, now requests the Congress of the United States to give favorable consideration to the implementation and execution of the plans submitted by the Corps of Army Engineers relative to the dredging of Bullock Cove and the improvement thereof and the creation at said site of a yacht basin; and be it further

"*Resolved*, That the Senators and Representatives from Rhode Island in said Congress be, and they hereby are, earnestly requested to use their concerted effort to bring about the implementation and execution of said plans and recommendations; and be it further

"*Resolved*, That the Secretary of State be, and he is hereby, authorized to transmit to the Senators and Representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution."

By Mr. GREEN (for himself and Mr. PASTORE):

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Finance:

"Resolution urging the President of the United States, the Congress, the Secretary of State of the United States and the Tariff Commission to maintain the present tariff rates on lace imports

"Whereas the 1934 Reciprocal Trade Agreements Act expires June 12, 1954, and will in all likelihood be extended by congressional legislation; and

"Whereas, the special commission on Foreign Economic Policy, created in 1952 by the Congress at the request of the President, to explore this Nation's economic relations with the free world, has recommended a reduction in tariff rates; and

"Whereas in the development of a policy with respect to this Nation's foreign trade proper and adequate safeguards should be provided for the welfare and security of the American people and for the protection of our domestic enterprises; and

"Whereas a reduction in the tariff rates on foreign lace products would result in the annihilation of the lace industry in the

United States by foreign competition because of the disproportionate wage differential paid the lace workers in foreign lands compared to the wages paid in the United States; and

"Whereas the bulk of the lace industry of this Nation is located in Rhode Island, employing 10,000 highly trained people; and

"Whereas these Rhode Islanders would be forced into the ranks of the unemployed upon the closing of the lace mills: Now, therefore, be it

"*Resolved*, That the President of the United States insist on maintaining the present tariff rates on lace imports and permit no reductions therein at the present time; and be it further

"*Resolved*, That the Secretary of State of the United States enter into no agreements and make no concessions to any foreign nations which would entail a reduction in the present tariff rates on lace imports; and be it further

"*Resolved*, That the Congress, and more particularly the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, take every legislative precaution in extending the Reciprocal Trade Agreements Act to insure the maintenance of the present tariff rates on lace imports; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted forthwith by the Secretary of State to the President of the United States, to the Secretary of State of the United States, to the Tariff Commission and to each Member of the Congress, earnestly requesting that each use his efforts to see that action is taken which would carry out the purposes of this resolution."

AGRICULTURAL PRICE SUPPORTS—RESOLUTION OF PUTNAM FARMERS UNION LOCAL 2257, HUDSON, KANS.

Mr. SCHOEPPEL. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Putnam Farmers Union Local 2257, Hudson, Kans., relating to adequate price supports on agricultural products.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

HUDSON, KANS., *January 25, 1954.*

Hon. ANDREW F. SCHOEPPEL,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Whereas agriculture is the foundation on which real democracy is built and strengthened;

Whereas the industries and population of the country is dependent upon agriculture; and

Whereas the incomes of rural people are insufficient without full price support: Therefore be it

Resolved, That the Putnam Farmers Union Local 2257 meeting January 22, 1954, goes on record urging our Federal Government to provide adequate price support on agriculture; be it further

Resolved, That copies of this resolution be sent by the secretary to our Congressman Clifford R. Hope, to Senator Andrew F. Schoeppel, Secretary of Agriculture Ezra T. Benson, and to the State Farmers Union paper.

The above resolution was adopted January 22, 1954.

Mr. MACLEAN HEYEN,
President.
Mrs. T. E. DUGGAN,
Secretary.

EXTENSION OF SOCIAL SECURITY ACT—RESOLUTION OF WALNUT VALLEY AERIE 2823, FRATERNAL ORDER OF EAGLES, EL DORADO, KANS.

Mr. SCHOEPPEL. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Walnut Valley Aerie 2823, Fraternal Order of Eagles, El Dorado, Kans., favoring the extension of the Social Security Act, as recommended by the President of the United States.

There being no objection, the resolution was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

WALNUT VALLEY AERIE, NO. 2823,
FRATERNAL ORDER OF EAGLES,
El Dorado, Kans., February 15, 1954.

Hon. ANDREW SCHOEPPEL,
Senator, Washington, D. C.

DEAR BROTHER: Whereas the Fraternal Order of Eagles was a leader in the campaign for the enactment of the Social Security Act and the earlier campaigns for the passage of State old-age pension laws; and

Whereas the Fraternal Order of Eagles, by unanimous vote of the delegates in national convention assembled, has urged the liberalization of the Social Security Act so as to extend coverage to all workers and to expand the program to protect wage earners against all major hazards of life and to adjust payments to meet increased living costs; and

Whereas the President of the United States, Dwight D. Eisenhower, in his recent message to Congress, has urged that the Social Security Act be liberalized to provide that—

1. The minimum benefit for retired persons be increased from $25 to $30 per month, the maximum from $85 to $108.50.

2. Ten million additional persons be included in the security systems.

3. The first $1,000 of annual earnings by retired persons be exempted from the regulations of the Social Security Act.

4. The earnings base for participants in the plan be raised from $3,600 to $4,200.

5. The 4 years of lowest income for such beneficiary be discarded in computing benefits.

Whereas friends of social security, Democrats and Republicans, have endorsed the President's suggestions as a long step forward in providing adequate old-age security for all Americans: Now, therefore, be it

Resolved, That our aerie endorse the President's proposals for improving the Social Security Act, and respectfully urge the Senators from our State to enact such recommendations into law.

Adopted this 15th day of February 1954.

MERTON KOONS,
Worthy President.
Attest: ORVIS THUMA,
Secretary.

LITHUANIAN INDEPENDENCE—RESOLUTION OF LITHUANIAN AMERICAN CITIZENS, NORWOOD, MASS.

Mr. SALTONSTALL. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD a resolution adopted by the Lithuanian American citizens of the town of Norwood, Mass., February 14, 1954, to commemorate the 36th anniversary of Lithuania's declaration of independence. It is a fine resolution, and I think it should be included in connection with the remarks concerning the 36th anniversary of the independence of Lithuania.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

ST. GEORGE'S RECTORY,
Norwood, Mass., February 16, 1954.

The Honorable LEVERETT SALTONSTALL,
The United States Senate,
Washington, D. C.

RESOLUTION

DEAR SIR: Lithuanian American citizens of the town of Norwood, gathered on February 14, 1954, to commemorate the 36th anniversary of Lithuania's Declaration of Independence, held under the auspices of the Lithuanian Catholic Federation—

Having considered the present plight of Lithuania created by continued occupation by Soviet Union;

Taking cognizance of the steadfast adherence by the United States of the policy of nonrecognition of the spoils of aggression committed by Soviet Union;

Appreciating the cooperation which the President of the United States and the congressional leadership of both major parties extended in the passage of the House Resolution 346 creating a select committee to investigate the enslavement of Lithuania and the other two Baltic States;

Do hereby resolve—

To pledge cooperation with the Government of the United States in its efforts to resist forces of Communist imperialism and to achieve international peace and order based on principles of justice and freedom for all nations;

To express their sincerest thanks to President Dwight D. Eisenhower, Secretary of State John Foster Dulles; to Congressman Charles J. Kersten and the House Baltic Committee, to Hon. Joseph W. Martin, Jr., other leaders and Members of the Congress of the United States, for strengthening the hope of liberation of Lithuania and other enslaved nations.

VINCENT J. KUDIRKA, *Chairman.*
ANDREW T. VENCKERS, *Secretary.*

REDUCTION OF PARITY ON DAIRY PRODUCTS—LETTER AND TELEGRAMS FROM WISCONSIN

Mr. WILEY. Mr. President, like my colleagues, I have been flooded by messages from all over my State protesting against the slash in dairy parity which is scheduled to go into effect on April 1.

I can deeply understand the feeling behind these messages because, having owned and operated a Wisconsin dairy farm for over 30 years, I know what it means to make a mere 6 cents per quart of milk while that very same milk, sold the same day to the consumer, triples and quadruples in price.

I have advised my colleague, the senior Senator from Minnesota [Mr. THYE] that I will cosponsor with him the bill, S. 2962, which he has introduced for the purpose of (a) holding dairy parity to the same level as mandatory supports on the six basic crops, (b) limiting any reduction in dairy parity to a maximum of 5 percent in a year.

I firmly believe that we can and should find ways of meeting the present so-called dairy surplus without slashing farm income still further.

I have pointed out that every major American depression has begun with a depression in farming. Therefore, it is incumbent upon us to prevent any further reduction in dairy returns.

To permit farm prices to sink still further will be to invite a chain reaction which could result in the gravest of harm to our country. Already, my own State, America's dairyland, has suffered severely. Delegations of farmers, of creamery men, of cheesemakers have made the long trip to our Nation's Capital to point out that they are caught in a terrible squeeze of low milk checks and high feed costs, labor costs, machinery costs, and fertilizer costs.

I present some of the many messages which I have received from my State. I ask unanimous consent that they be printed in the RECORD, and be thereafter appropriately referred.

There being no objection, the letter and telegrams were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

AMERY, WIS., *February 19, 1954.*

Hon. ALEXANDER WILEY,
United States Senator,
Washington, D. C.

DEAR SENATOR WILEY: Here in our midwestern, strictly dairy area, we are again given a rather abrupt stab in the back by Mr. Benson's decision to cut support prices on milk to 75 percent of parity.

To a small farmer depending entirely on fluid milk for his source of income, as is the case here in Wisconsin as well as most of the midwestern area, his already lowered income will be brought down to a point where all businesses will suffer almost as though a depression had hit the United States.

It certainly isn't good to be too pessimistic about these things but retail merchants and business people here in addition to the farmers can't help but feel that this move will be hard on us all. Our administration should realize that our Nation can only thrive if agriculture thrives, our prosperity starts from the ground.

Yours very truly,

LESTER A. SJOBECK.

PLYMOUTH, WIS., *February 22, 1954.*

Senator ALEXANDER WILEY,
Senate Office Building:

We urge you support passage of amendment to Agriculture Act of 1949 limiting drop in support of 5 percent in any single year.

E. H. BRUGGINK,
General Manager, Wisconsin Cheese Producers Cooperative.

JANESVILLE, WIS., *February 20, 1954.*

The Honorable ALEXANDER WILEY,
United States Senate,
Washington, D. C.:

The farmer has been a whipping boy for a long time, and especially the dairy farmer, all of which has been brought about by unfair publicity, which has insinuated that the dairy farmer has been realizing unusual profits through the supports of products produced.

If you will take a look at the losses under the Commodity Credit Corporation price support program you will find that less than $2 billion have been lost as compared to $40 billion which the Federal Government has spent to help business recover from the results of the war.

The townspeople and generally all persons seem to have the opinion that the farmers have received an exorbitant price for the butter which the Government is holding. Actually by Government standards the farmer has received only 90 percent of a fair price. May I ask you, will you allow the impression to go forth that they, "the farmer," has received too much as wages for producing butter or any other farm product?

It would seem to me that we have all prospered to some extent regardless of Federal expenditures, but I do think it unfair to single out a certain industry, especially that one which is individually owned and try to insinuate that they are the only ones actually prospering from Government expenditures.

I hope that you have realized that the losses through the support program to the dairy farmer and all farmers have been only a drop in the bucket compared to the expenditures of the Federal Government in aid to all business and that after all it is the losses and the cost to the Federal Government that should be of interest to us.

The latest action taken by the Secretary of Agriculture indicates that support prices on dairy products will be 75 percent of parity. It is interesting to note that this means that the farmer is going to receive 25 percent less than a fair price when compared to Government standards. It is my opinion that the true story has not been conveyed to the American people, especially the story of the dairy industry.

On behalf of approximately 1,000 dairy farmers who are shipping milk to the Albion Co-operative Creamery, I urge you to do your utmost in seeing that the support of dairy products remains at 90 percent of parity as long as basic commodities are supported at 90 percent.

If as a last resort and if absolutely necessary we urge you support a program whereby supports will not be lowered more than 5 percent in any 1 year.

ALBION CO-OP CREAMERY CO.,
F. C. LINDSAY, *Manager.*
EDGERTON, WIS.

APPROPRIATIONS FOR UPPER RIVER HARBOR, MINNEAPOLIS, MINN.—RESOLUTION OF CITY COUNCIL, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the City Council of Minneapolis, Minn., on February 11, urging continuation of appropriations for Upper River Harbor at Minneapolis, be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Resolution urging continuation of appropriations for Upper River Harbor at Minneapolis, Minn.

Resolved by the City Council of the City of Minneapolis, That Congress be urged to continue to appropriate sufficient funds, as requested by the United States Corps of Engineers, for the continuance of the extension of the 9-foot channel to the north city limits of Minneapolis; be it further

Resolved, That a copy of this resolution be presented to the Committee on Appropriations of the Senate, and that a copy be sent to the Honorable Dwight D. Eisenhower, President of the United States, the Honorable Richard Nixon, Vice President of the United States, the chairman of the Appropriations Committee of the House, and each Member of Congress from the State of Minnesota.

Passed February 11, 1954.

W. GLEN WALLACE,
President of the Council.

Approved February 11, 1954.

W. GLEN WALLACE,
Acting Mayor.

Attest:

ARLENE R. FINKLE,
City Clerk.

FOREST RESEARCH—RESOLUTION OF MINNESOTA STATE LEGISLATIVE FORESTRY STUDY COMMISSION, GRAND RAPIDS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution passed by the Minnesota State Legislative Forestry Study Commission meeting in Grand Rapids, Minn., on February 13, supporting the President's request for a budget increase in forest research for the United States Forest Service, be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas the items included in the President's budget are of utmost importance to the future of Minnesota forestry, and

Whereas the industries are dependent upon the forests for raw materials: Now, therefore, be it

Resolved, That the forestry study commission of the State of Minnesota urge the United States Senators and Representatives to give their support to the President's request for a budget increase in forest research for the United States Forest Service.

REA APPROPRIATIONS — RESOLUTION OF BOARD OF DIRECTORS, KANDIYOHI COOPERATIVE ELECTRIC POWER ASSOCIATION, WILLMAR, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Kandiyohi Cooperative Electric Power Association board of directors on February 15, 1954, urging adequate appropriations for the REA, be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Whereas many of the electric cooperatives in the Nation are in need of additional funds for new construction, heavying-up of lines and circuit conversions, general system improvements to meet the ever-increasing demands for more power through greater usage, and

Whereas the success of many electric cooperatives is dependent to a large degree on the Congress of the United States in their making additional loan funds available for such purposes: Now, therefore, be it

Resolved, That the board of directors of the Kandiyohi Cooperative Electric Power Association of Willmar, Minn., at their regular meeting on February 15, 1954, did unanimously solicit your help and urge that adequate funds be made available to the Rural Electrification Administration to support and carry on the work of that admin-

istration so as to enable the cooperatives to heavy-up and meet the demands placed on them through their distribution, transmission, or generation facilities; be it further

Resolved, That a copy of this resolution be sent to each of the Senators and Congressmen from Minnesota and to the Administrator of the Rural Electrification Administration.

FEDERAL AID TO ROADS—LETTER FROM HENNEPIN COUNTY GOOD ROADS ASSOCIATION, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a letter which I received from the Hennepin County Good Roads Association in connection with H. R. 7818, having to do with the Federal Aid Road Act, be printed in the RECORD, so the whole Senate may benefit from these views.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HENNEPIN COUNTY GOOD ROADS ASSOCIATION,
Minneapolis, Minn., February 16, 1954.

Senator HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

DEAR SENATOR HUMPHREY: Roads in the United States have now cycled back to their position in 1920. The original capital investment has worn out and needs replacement. The States then must carry a normal program, plus the tremendous cost of these replacements, and it is not in the cards on present State road incomes. The road user will face practically all of this new burden.

Back in 1917 the Congress imposed excise taxes on the motor vehicle—its parts and fuel—as an emergency war measure. The automobile was then considered a luxury item. In 1954 the same taxes are still imposed, but at much higher rates, and the motor vehicle is certainly no luxury item. We question the fairness of a tax for general purposes imposed upon a special category of taxpayers. We question it particularly at this time when this category is faced with new and heavy taxes. So great has the local problem became that it has resulted in a concerted movement which demands that the Federal Government abandon this motor vehicle field and leave it to the States.

We recognize that Federal aid for roads has no direct bearing upon these excise taxes. We also recognize that if the Federal aid system is to be maintained, it will need finance. We are thoroughly sold on this Federal aid system. It has served as a guaranty against diversion, diffusion, and misuse of road-user money. It has given us common standards and practices which have produced the finest road system in the world. We do not join in the movement which asks the Congress to abandon the road field as a tax source. We do believe, however, that such revenue should be dedicated to roads as soon as such action becomes practical.

In the Federal aid law the States are inhibited from the diversion to purposes other than roads of any more road-user revenue than was diverted in 1935, and yet the Federal Government itself diverts three-fourths of that revenue.

We like H. R. 7818 (McGregor bill) as a current practical answer to the pressures to which you are undoubtedly at present being subjected.

Cordially yours,

G. W. PRICE,
Manager, Hennepin County Good Roads Association.

EXTENSION OF SOCIAL-SECURITY COVERAGE—RESOLUTION OF MINNESOTA REGISTER OF DEEDS ASSOCIATION, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the Minnesota Register of Deeds Association in convention at Minneapolis, Minn., on January 23, 1954, be printed in the RECORD. The resolution expresses the opposition of the association to the extension of social-security coverage to the political subdivisions of the State of Minnesota and particularly to those public employees and officials of the State who have accumulated rights and substantial equities in the Public Employees Retirement Association of Minnesota.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Public Employees Retirement Association created by an act of the Minnesota State Legislature in the year 1931 makes it possible for all political subdivisions to operate under the provisions of the above act; and

Whereas the public employees retirement system of Minnesota covers positions of employees and officials of all counties, cities, villages, towns, townships, and school districts and has a membership exceeding 29,000 and represents a sound investment to the public as an employer and constitutes an orderly and adequate means for providing for the retirement of its members who are superannuated and have reached the climax of their productive period; and

Whereas the Federal Social Security Act, as amended, does not include the employees of various States and political subdivisions thereof, and there are now pending in Congress numerous bills which would have the effect of extending coverage of the Social Security Act to such employees; and

Whereas the general extension of the social security act to officials and employees of local governments as provided for in said bills is viewed with much concern by officials and employees of local political subdivisions of our State because it would seriously disrupt, confuse, and interfere with personnel and budgetary policies which could result in destroying the Public Employees Retirement Association unit by unit, until our existence could not be justified; and

Whereas the Public Employees Retirement Association, through the tireless efforts of its board and membership and excellent cooperation and supervision on the part of the Minnesota State Legislature, has developed and built a sound and constructive retirement system with very substantial benefits, namely, $200 monthly maximum basic annuity beginning at age 60 and over and up to $100 survivors' benefits commencing at age 60 together with numerous other substantial benefits: Now, therefore, be it

Resolved, That the Minnesota Register of Deeds Association in convention assembled at Minneapolis, Minn., this 23d day of January 1954, respectfully urges and petitions you, as Senator from Minnesota in the 83d Congress, 2d session, to totally exclude from social-security coverage all of the political subdivisions of the State of Minnesota and the public employees and officials of these political subdivisions; and be it further

Resolved, That this association urges you to see that proper amendments are offered to pending bills in Congress to prevent the extension of social security to public employees and officials of the State of Minnesota who have accumulated rights and substantial equities in the Public Employees Retirement Association of Minnesota; and be it further

Resolved, That any amendment to the Social Security Act by the 83d Congress, 2d session, resulting in interference with our established rights in the Minnesota Public Employees Retirement Association would be construed as an intervention by the Federal Government in an area traditionally a matter for State legislatures to determine and control and this we sincerely believe would be wholly contrary to the basic principles underlying our Federal-State system of government; and be it further

Resolved, That the secretary of the Minnesota Register of Deeds Association be, and is, hereby instructed and directed to transmit copies of this resolution to the Honorable Senator EDWARD J. THYE, to the Honorable Senator HUBERT H. HUMPHREY, to the Honorable Representative AUGUST H. ANDRESEN, to the Honorable Representative JOSEPH P. O'HARA, to the Honorable Representative ROY W. WIER, to the Honorable Representative EUGENE J. MCCARTHY, to the Honorable Representative WALTER H. JUDD, to the Honorable Representative FRED MARSHALL, to the Honorable Representative H. CARL ANDERSEN, to the Honorable Representative JOHN A. BLATNIK, and to the Honorable Representative HAROLD C. HAGEN.

ROY CHRISTIAN,
Secretary, Minnesota Register of Deeds Association.

PARITY FOR FARMERS—RESOLUTION OF BUSINESSMEN OF ULEN, MINN.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a resolution adopted by the businessmen of Ulen, Minn., as published in the Ulen Union on February 10, be inserted in the RECORD at this point, together with the names of all the signator businesses. The merchants of Ulen, in this advertisement, urge 90 to 100 percent of parity for farmers. You will recall that about a month ago I had entered in the RECORD a similar appeal signed by the merchants of Thief River Falls, Minn. This is further evidence of the concern of the merchants of the rural communities of Minnesota that we have a strong and effective farm program.

There being no objection, the resolution, with the names of the signators, was ordered to be printed in the RECORD, as follows:

PARITY FOR FARMERS

Being the State of Minnesota is a majority agricultural State, the businessmen of this city feel that it is most imperative that we work side by side with those attempting to maintain a farm program which will enrich and develop the agricultural activities wherever they are a major industry or source of livelihood.

In view of the above conclusions, we the following businesses of this city (resolve):

That we go on record condemning any effort on the part of any Congressman, the Department of Agriculture, or any agency for attempting to disrupt the stabilization program, effecting all farm commodities.

We further resolve that Congress shall not only maintain 90 percent of parity, but shall try to establish 100 percent of parity for all farm commodities. We do not favor any tendency toward flexibility of price support, but urge Congress to maintain a production-control program which is necessary in order to have stabilized price support.

We further urge all business groups in other cities of this State as well as those of other agricultural States to go on record favoring similar resolutions.

C. E. Pederson, Merchant; M. J. Erickson Co., Garage; Big 5 Co-op, Hardware and Oils; Asleson Bros., Blacksmith Shop; Bjerke's Locker Service, Locker; Forsythe Garage Co., Auto and Implement Dealers; The Northwestern State Bank of Ulen; Ulen Co-op Creamery Association, Dairy Products; Wilcox Lumber Co., Building Materials; Reiten Hardware Co., Merchant; Arnold Wold, Merchant; Gunderman Pharmacy, Pharmacists; Soren A. Jensen, Blacksmith; Dr. D. S. Horn, Dentist; Henry Bakkum, Merchant; Harold Mesker, Cafe; A. M. Mellum, Service Station; Pastor H. M. Lybeck, Lutheran Pastor; Tri-County Co-op Association, Grain Elevator; Mrs. M. Nelson, Cozy Cafe; Ulen Hatchery, Chicks and Supplies; Ross Geithman, Barber; D. W. Murphy, Merchant; Ruth Harris, Coffee Shop; W. C. Lokken, Standard Oil Agent; Phil's Recreation, Billiards; O. M. Fevig Agency, Insurance; Dan Ogan, Ulen Electric; Super Service Station, Champlin Oils; R. H. Rosaaen, Ulen Implement Co.; Carl Melbye, Northside Service Station; Harry Fevig, Fevig's Service Station; A. A. Bulleyment, Ulen Theater; Ulen Union.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MILLIKIN, from the Committee on Finance:

H. R. 5773. A bill to provide for the refund, under certain conditions, of money paid as premiums on United States Government life insurance or national service life insurance which is canceled for fraud; without amendment (Rept. No. 990).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAVEZ:

S. 2990. A bill for the relief of John A. Lynn; to the Committee on the Judiciary.

By Mr. MANSFIELD (by request):

S. 2991. A bill relating to the issuance of a trust patent to Lorraine Dennis Crawford Woods; to the Committee on Interior and Insular Affairs.

By Mr. MALONE:

S. 2992. A bill to encourage and assist the production of strategic and critical metals, minerals, and materials in the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MARTIN:

S. 2993. A bill for the relief of Ruth Wehrhan; to the Committee on the Judiciary.

By Mr. BUSH:

S. 2994. A bill for the relief of Edward H. Hon; to the Committee on the Judiciary.

By Mr. IVES:

S. 2995. A bill to authorize male nurses and medical specialists to be appointed as Reserve officers; to the Committee on Armed Services.

S. 2996. A bill for the relief of Sister Ramona Maria (Ramona E. Tombo); and

S. 2997. A bill for the relief of Renate Dressel; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey:

S. 2998. A bill for the relief of Italia D'Elsio Mattia; to the Committee on the Judiciary.

By Mr. KERR (for himself and Mr. MONRONEY):

S. 2999. A bill relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. HUMPHREY:

S. 3000. A bill to exempt from the admissions tax amounts paid for admission to high-school wrestling and boxing matches; to the Committee on Finance.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. WILEY:

S. J. Res. 129. Joint resolution requesting the President to proclaim October 9 as Leif Erickson Day; to the Committee on the Judiciary.

By Mr. SMATHERS (for himself, Mr. AIKEN, Mr. BARRETT, Mr. BRICKER, Mr. BURKE, Mr. BUSH, Mr. BUTLER of Maryland, Mr. CARLSON, Mr. CHAVEZ, Mr. CLEMENTS, Mr. DANIEL, Mr. DOUGLAS, Mr. DUFF, Mr. FREAR, Mr. GREEN, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. HUNT, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KEFAUVER, Mr. KENNEDY, Mr. KUCHEL, Mr. LANGER, Mr. LEHMAN, Mr. LENNON, Mr. LONG, Mr. MALONE, Mr. MANSFIELD, Mr. MARTIN, Mr. MCCARRAN, Mr. MCCLELLAN, Mr. MONRONEY, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. PAYNE, Mr. POTTER, Mr. SALTONSTALL, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. UPTON, Mr. WATKINS, Mr. WELKER, Mr. WILLIAMS, and Mr. YOUNG):

S. J. Res. 130. Joint resolution requesting the President to proclaim the week of May 2 to May 8, 1954, inclusive, as National Mental Health Week; to the Committee on the Judiciary.

(See the remarks of Mr. SMATHERS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. DOUGLAS:

S. J. Res. 131. Joint resolution authorizing the formulation and carrying out of a program for sending freedom messages behind the Iron Curtain; to the Committee on Foreign Relations.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. IVES (for himself, Mr. BARRETT, Mr. BEALL, Mr. BENNETT, Mr. BURKE, Mr. BUSH, Mr. BUTLER of Nebraska, Mr. BUTLER of Maryland, Mr. BYRD, Mr. CAPEHART, Mr. CARLSON, Mr. CASE, Mr. CHAVEZ, Mr. CLEMENTS, Mr. COOPER, Mr. DIRKSEN, Mr. DOUGLAS, Mr. DUFF, Mr. EASTLAND, Mr. FERGUSON, Mr. FLANDERS, Mr. FREAR, Mr. GEORGE, Mr. GILLETTE, Mr. GREEN, Mr. GRISWOLD, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HOLLAND, Mr. HUMPHREY, Mr. JOHNSON of Colorado, Mr. KEFAUVER, Mr. KENNEDY, Mr. KILGORE, Mr. KUCHEL, Mr. LANGER, Mr. LEHMAN, Mr. LENNON, Mr. MALONE, Mr. MANSFIELD, Mr. MARTIN, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SMITH of New Jersey, Mr. STENNIS, Mr. WATKINS, Mr. WELKER, and Mr. WILLIAMS):

S. J. Res. 132. Joint resolution authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent national memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus; to the Committee on Rules and Administration.

(See the remarks of Mr. IVES when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. JOHNSON of Colorado:

S. J. Res. 133. Joint resolution to make the antitrust laws applicable to professional baseball clubs affiliated with the alcoholic-beverage industry; to the Committee on the Judiciary.

(See the remarks of Mr. JOHNSON of Colorado when he introduced the above joint resolution, which appear under a separate heading.)

EXEMPTION FROM CERTAIN ADMISSIONS TAX

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference a bill to exempt from the admissions tax amounts paid for admission to high school wrestling and boxing matches.

The present law has been interpreted so as to be discriminatory against amateur wrestling and boxing as conducted in the high schools of our Nation.

Members of the Senate are aware that other amateur sports activities in high schools such as football and basketball are today exempt insofar as the collection of the admissions tax is concerned. There is no reason in my judgment to distinguish between those sports and wrestling and boxing. My bill is, therefore, designed to correct that inequity. Wrestling and boxing are fine sports and are essential parts of high schools wholesome athletic programs. I hope the Senate will see fit to accept my proposal.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3000) to exempt from the admissions tax amounts paid for admission to high school wrestling and boxing matches, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Finance.

NATIONAL MENTAL HEALTH WEEK

Mr. SMATHERS. Mr. President, shortly after the end of World War II there came to light the fact that more than two million young men had been rejected for military service or had been discharged from the Nation's armed forces because of mental disorders. While the Nation had been aware that mental illness was a serious problem, it took this staggering and dramatic revelation to shock the people and to set off a wave of interest, concern, and action which swept the country from coast to coast.

One of the outgrowths of this surge of public response was the birth of Mental Health Week. In 1949 the National Association for Mental Health and the National Institute of Mental Health, of the Department of Health, Education, and Welfare, launched the first national observance of Mental Health Week for the purpose of mobilizing the people into action in the fight against mental illness. The first observance of Mental Health Week was a very modest one, and not too many people heard about it; but within the very short span of 5 years Mental Health Week has become firmly established on the calendar of important national observances, and its influences have penetrated into literally every single

community in the country—into schools, churches, universities, hospitals, clinics, industries, trade unions, Government departments, professional organizations, fraternal clubs, and many others.

It is no wonder that Mental Health Week has caught hold, because the people have come to realize that the slogan "Mental illness is the Nation's No. 1 health problem" is not merely a slogan but an actual fact. They have come to realize that not only is mental illness the No. 1 health problem for the Nation, but also for each person individually. Every person in this country is concerned either directly or indirectly, with the subject of mental illness.

At this very moment nearly three-quarters of a million people in mental hospitals are suffering severe mental disorders. More people are hospitalized for mental illness than for all other illnesses combined, including polio, cancer, heart disease, tuberculosis, and all other physical disorders. One out of every 230 men, women, and children in the United States is in a mental hospital. And for every person inside a mental hospital there is at least an additional person who should be receiving mental hospital care but who is not because the hospital facilities are inadequate.

But it is not only in hospitalization that we see the effects of mental illness. We have only to read the newspapers on any day to see other frightening evidence—the suicides, murders, tragic accidents, and the mounting tide of juvenile delinquency. We have only to read the reports of the medical authorities to find that out of every 2 people coming to a medical practitioner, 1 is suffering from some form of mental disorder. The records of the general hospitals shall disclose that 1 out of every 3 people being treated is suffering from some form of mental disorder. The mental health clinics and the school guidance service report an ever-increasing number of emotionally disturbed children. The social welfare agencies tell of the many families breaking up as a result of emotional difficulties. The industrial records tell of the high rate of absenteeism, accidents, and turnover resulting from mental and emotional disorders.

There is literally not a single facet of personal or social life which is not touched in one way or another by mental illness.

These facts are not new. They have been dinned into our ears year after year by the National Association for Mental Health and its affiliates. Citizens' organizations have taken upon themselves the tremendous burden of alerting the Nation to this problem and of mobilizing the people for action to combat it. These are the facts that motivated Congress in 1946 to enact the National Mental Health Act, under which the National Institute of Mental Health was set up to carry on research and to help in establishing community mental health services.

These are the facts which have motivated Congress to make continuing provisions for the neuropsychiatric services of the Veterans' Administration, under which hundreds of thousands of mentally sick veterans have been helped back to health. These are the facts which have brought about concerted action by the executive branches of all of the 48 States. Only a short time ago—on February 8 and 9 of this year, to be exact—the Council of State Governments held a conference in Detroit to discuss the problem of mental illness and to act on it.

These and other signs show that the Nation is definitely moving forward in the fields of research, prevention, and improved treatment to combat mental illness.

From the research front comes heartening news. The National Association for Mental Health reports that its researchers who are working on the mental illness known as schizophrenia are making splendid progress, and that they are now in a position to start working out ways to prevent this disease. Schizophrenia accounts for more than 300,000 people in mental hospitals, and each year sends 50,000 new patients—mostly adolescents and young adults—to mental hospitals. It is, therefore, indeed gratifying to hear that science is closing in on this dreadful disease; but at the same time we must realize that these researchers are just barely scratching the surface, and there must be a tremendous expansion of research before any really effective results are obtained. This is also true of the other efforts to prevent mental illness and to give adequate treatment to the millions of people who are in need of it.

It is important for all the people to get behind this program and to join in every possible way with the National Association for Mental Health and its affiliated organizations in the fight against the Nation's and their own No. 1 health problem.

President Eisenhower said recently in a message to the National Association of Mental Health:

> The progress that your association has made in dealing with the distressing and serious problems of mental health is indeed laudable. It is encouraging to note that in your search for solutions to these problems you have emphasized local initiative and responsibility.
>
> I have long felt that in most problems affecting the individual the soundest solutions are found in concerted action of the people close to him—his family and his community.
>
> Because of this conviction, I commend you on the purposes of your association, the professional advances it has made, and the administrative practices that it emphasizes. May your excellent work meet with continued success in our land.

Mr. President, in keeping with the spirit of the President's comments, on behalf of myself, and the Senator from Vermont [Mr. AIKEN], the junior Senator from Wyoming [Mr. BARRETT], the senior Senator from Ohio [Mr. BRICKER], the junior Senator from Ohio [Mr. BURKE], the Senator from Connecticut [Mr. BUSH], the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Texas [Mr. DANIEL], the Senator from Illinois [Mr. DOUGLAS], the junior Senator from Pennsylvania [Mr. DUFF], the junior Senator from Delaware [Mr. FREAR], the Senator from Rhode Island [Mr. GREEN], the junior Senator from New Jersey [Mr. HENDRICKSON], the senior Senator from Missouri [Mr. HENNINGS], the senior Senator from Alabama [Mr. HILL], my colleague, the senior Senator from Florida [Mr. HOLLAND], the Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Wyoming [Mr. HUNT], the Senator from Washington [Mr. JACKSON], the Senator from Indiana [Mr. JENNER], the Senator from Colorado [Mr. JOHNSON], the Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Massachusetts [Mr. KENNEDY], the Senator from California [Mr. KUCHEL], the senior Senator from North Dakota [Mr. LANGER], the Senator from New York [Mr. LEHMAN], the Senator from North Carolina [Mr. LENNON], the Senator from Louisiana [Mr. LONG], the junior Senator from Nevada [Mr. MALONE], the junior Senator from Montana [Mr. MANSFIELD], the senior Senator from Pennsylvania [Mr. MARTIN], the senior Senator from Nevada [Mr. McCARRAN], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from South Dakota [Mr. MUNDT], the senior Senator from Montana [Mr. MURRAY], the Senator from Maine [Mr. PAYNE], the Senator from Michigan [Mr. POTTER], the senior Senator from Massachusetts [Mr. SALTONSTALL], the senior Senator from New Jersey [Mr. SMITH], the junior Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the junior Senator from Missouri [Mr. SYMINGTON], the Senator from New Hampshire [Mr. UPTON], the Senator from Utah [Mr. WATKINS], the Senator from Idaho [Mr. WELKER], the senior Senator from Delaware [Mr. WILLIAMS], and the junior Senator from North Dakota [Mr. YOUNG], I now introduce the joint resolution for reference to the Judiciary Committee, and request that the Committee promptly report the joint resolution favorably.

The joint resolution reads as follows:

> Whereas there is presently a great need for nationwide action for the prevention, treatment, and cure of mental illness; and
>
> Whereas the National Association for Mental Health and the State and local mental health organizations associated therewith are working diligently in the fight against mental illness; and
>
> Whereas the Mental Health Fund is in dire need of public support in order to improve conditions in mental hospitals, provide more adequate treatment for the mentally and emotionally ill, carry on research in the field of the prevention, treatment, and cure of mental illness, and promote mental health education: Now, therefore, be it
>
> *Resolved, etc.*, That the President of the United States is authorized and requested to issue a proclamation designating the week beginning May 2 and ending May 8, 1954, as National Mental Health Week, and urging the people throughout the Nation to cooperate in the fight for the prevention, treatment, and cure of mental illness, and inviting the communities of the United States to observe such week with appropriate ceremonies and activities.

The VICE PRESIDENT. Without objection, the joint resolution will be received, and referred, as requested by the Senator from Florida.

The joint resolution (S. J. Res. 130) requesting the President to proclaim the week of May 2 to May 8, 1954, inclusive, as National Mental Health Week, introduced by Mr. SMATHERS (for himself and other Senators) was received, read twice by its title, and referred to the Committee on the Judiciary.

PROGRAM FOR SENDING FREEDOM MESSAGES BEHIND IRON CURTAIN

Mr. DOUGLAS. Mr. President, now that the Berlin conference has proved, to all practical purposes, an almost total failure, I believe it is time that we get ahead with a program for reviving hope and sustaining resistance among those peoples enslaved by communism.

On September 27, 1952, in a letter to the town meeting at Old Sturbridge, Mass., President Eisenhower said:

> In the struggle against expanding communism, we must miss no oportunity to rally men and women everywhere to the cause of freedom and progress, as opposed to the reaction of totalitarian policies and methods. We must fully develop under efficient, able direction every psychological weapon that is available to us.

I agree fully with the President. The Communists do not hesitate to use against us every propaganda weapon in their arsenal, even when they are sitting at the negotiation tables with us on the pretext of attempting to work out peaceful solutions of disagreements.

Therefore, I introduce, for appropriate reference, a joint resolution to authorize and direct a $2 million campaign of releasing ballon-carried freedom messages and small packets of freedom food to statellite peoples. This is but a pittance to spend in psychological warfare. I have read that Russia spends as much as $100 million a year on this purpose. But whereas they supply lies, we can and should supply truth and some food. A bit of cheese, a packet of dried milk wrapped in a freedom message will do wonders to upset the Communist propaganda and dispel the dreary lie of starvation in the United States.

I am convinced that such a program as I am proposing in this resolution would, if carried out, shake the control of communism over the satellite countries. One of the worst beatings communism has taken was when we made food freely available in Berlin. But that program could be made effective only in one restricted area of contact, and the Communists soon set up their barriers and prevented starving East Germans from reaching the food counters at the borderline.

Recently I discussed with the columnist, Drew Pearson, the balloon-message campaign which he and Harold E. Stassen, director of FOA, carried out several years ago. Mr. Pearson said that they succeeded in getting 11 million messages behind the Iron Curtain, and that the messages obviously had a profoundly unsettling effect on the Communists. Radio Moscow was prompt and violent in its denunciations of these messages as a new "aggression" by the "western warmongers." A new barrage of messages, coupled with small packets of food, could have even more violent psychological repercussions.

I believe that if we should carry out this program we would put the Communists on the defensive throughout most of the satellite areas. Therefore I invite Senators to support this program.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 131) authorizing the formulation and carrying out of a program for sending freedom messages behind the Iron Curtain, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on Foreign Relations.

PROPOSED MEMORIAL TO CHRISTOPHER COLUMBUS

Mr. IVES. Mr. President, for a number of years there has been a growing feeling among many Americans that in the city of Washington, District of Columbia, Capital of the United States of America, there should be a wholly fitting and adequate memorial to the great discoverer of America—Christopher Columbus.

This is not to say that the existing statue to Columbus on the plaza of Washington's Union Station is not a beautiful monument; but it is felt by many that this statue is not a sufficient memorial to one who exercised so transcendent an influence upon the history of the world.

Therefore, the Christopher Columbus Memorial Foundation, Inc., has been created.

The purpose of the foundation and its many friends is to pave the way by proper planning for the ultimate construction of an appropriate permanent national memorial to Christopher Columbus.

In this connection it has been suggested that an opera house suitable to the Nation's Capital is very much needed in Washington and would be wholly in order.

It is expected that the financing of this or any other such memorial to Christopher Columbus will be done largely, if not entirely, from private sources.

However, because of its significance as a part of our Nation's Capital and because of its international significance—inasmuch as it is anticipated that the Government of Italy will be interested in becoming associated with it—it has been deemed essential that the plans for this memorial be formulated through congressional action. For this purpose and pursuant to the course taken by the the Congress in connection with the Jefferson Memorial, I am sending to the desk for appropriate reference a joint resolution "authorizing the creation of a Federal Memorial Commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent national memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus."

This Commission would consist of 12 Commissioners, of whom 3 would be appointed by the President of the United States, 3 would be Senators appointed by the President of the Senate, 3 would be Members of the House of Representatives appointed by the Speaker of the House of Representatives, and 3 would be members of the Christopher Columbus Memorial Foundation, to be selected by such foundation.

Inasmuch as this joint resolution is comparatively brief, I introduce it for appropriate reference and ask that it be printed in the body of the RECORD at this point in my remarks.

The joint resolution (S. J. Res. 132) authorizing the creation of a Federal Memorial Commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent national memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus, introduced by Mr. IVES (for himself and other Senators), was received, read twice by its title, referred to the Committee on Rules and Administration, and ordered to be printed in the RECORD, as follows:

> Whereas there is no appropriate permanent national memorial to Christopher Columbus, in the Nation's Capital that is commensurate to his importance in the history of this country; and
>
> Whereas the American people owe a deep debt of gratitude to Christopher Columbus, and should erect an appropriate permanent national memorial which is symbolic of his genius and energy and is a universal and everlasting expression of faith in liberty and the spiritual advancement of humanity; and
>
> Whereas the erection of such a memorial by the American people would express their traditional and everlasting friendship to Italy, the native land of Christopher Columbus: Therefore be it
>
> *Resolved*, That there is hereby established a commission, to be known as the "Christopher Columbus Memorial Commission" (hereinafter referred to as the "Commission"), for the purpose of considering and formulating plans for the design, construction, and location of an appropriate permanent national memorial to Christopher Columbus in the city of Washington, D. C. The Commission shall be composed of 12 commissioners appointed as follows: 3 persons to be appointed by the President of the United States, 3 Senators by the President of the Senate, 3 Members of the House of Representatives by the Speaker of the House of Representatives, and 3 members of the Christopher Columbus Memorial Foundation, Inc., to be selected by such foundation.
>
> SEC. 2. The Commission is authorized to—
>
> (a) make such expenditures for personal services and otherwise for the purpose of carrying out the provisions of this joint resolution as it may deem advisable from funds received for such purpose;
>
> (b) accept in its discretion from any source, public or private, money or property to be used in carrying out the provisions of this joint resolution or to be used in connection with the construction or other expenses of such memorial; and
>
> (c) avail itself of the assistance and advice of the Commission of Fine Arts, the National Capital Planning Commission, and the National Capital Regional Planning Council, and such Commissions and Council shall, upon request, render such assistance and advice.

SEC. 3. The Commission shall as soon as possible, but not later than the termination of the 1st session of the 84th Congress, submit a report to the President of the United States and to Congress of the progress of the work of the Commission, together with its recommendations and suggestions for further congressional action.

Mr. IVES. Mr. President, I am happy to state that, aside from myself, the 53 cosponsors of this joint resolution are Senators from 37 States, representing a complete cross-section of the country, indicating the tremendous national interest in this proposal.

These cosponsors are the junior Senator from California [Mr. KUCHEL], the Senator from Colorado [Mr. JOHNSON], the senior Senator from Connecticut [Mr. BUSH], the junior Senator from Connecticut [Mr. PURTELL], the senior Senator from Delaware [Mr. WILLIAMS], the junior Senator from Delaware [Mr. FREAR], the senior Senator from Florida [Mr. HOLLAND], the senior Senator from Georgia [Mr. GEORGE], the junior Senator from Idaho [Mr. WELKER], the senior Senator from Illinois [Mr. DOUGLAS], the junior Senator from Illinois [Mr. DIRKSEN], the senior Senator from Indiana [Mr. CAPEHART], the junior Senator from Iowa [Mr. GILLETTE], the junior Senator from Kansas [Mr. CARLSON], the senior Senator from Kentucky [Mr. CLEMENTS], the junior Senator from Kentucky [Mr. COOPER], the junior Senator from Maine [Mr. PAYNE], the senior Senator from Maryland [Mr. BUTLER], the junior Senator from Maryland [Mr. BEALL], the senior Senator from Massachusetts [Mr. SALTONSTALL], the junior Senator from Massachusetts, [Mr. KENNEDY], the senior Senator from Michigan [Mr. FERGUSON], the junior Senator from Michigan [Mr. POTTER], the junior Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Mississippi [Mr. EASTLAND], the junior Senator from Mississippi [Mr. STENNIS], the senior Senator from Missouri [Mr. HENNINGS], the senior Senator from Montana [Mr. MURRAY], the junior Senator from Montana [Mr. MANSFIELD], the senior Senator from Nebraska [Mr. BUTLER], the junior Senator from Nebraska [Mr. GRISWOLD], the junior Senator from Nevada [Mr. MALONE], the senior Senator from New Jersey [Mr. SMITH], the junior Senator from New Jersey [Mr. HENDRICKSON], the senior Senator from New Mexico [Mr. CHAVEZ], the junior Senator from New York [Mr. LEHMAN], the junior Senator from North Carolina [Mr. LENNON], the senior Senator from North Dakota [Mr. LANGER], the junior Senator from Ohio [Mr. BURKE], the senior Senator from Pennsylvania [Mr. MARTIN], the junior Senator from Pennsylvania [Mr. DUFF], the senior Senator from Rhode Island [Mr. GREEN], the junior Senator from Rhode Island [Mr. PASTORE], the junior Senator from South Dakota [Mr. CASE], the senior Senator from Tennessee [Mr. KEFAUVER], the senior Senator from Utah [Mr. WATKINS], the junior Senator from Utah [Mr. BENNETT,] the junior Senator from Vermont [Mr. FLANDERS], the senior Senator from Virginia [Mr. BYRD], the junior Senator from Virginia [Mr. ROBERTSON], the senior Senator from West Virginia [Mr. KILGORE], the junior Senator from West Virginia [Mr. NEELY], and the junior Senator from Wyoming [Mr. BARRETT].

If any other Senators desire to be included among the cosponsors of this joint resolution, I invite them to have their names added at the desk.

In this connection, it is also noteworthy that a large number of the Members of the House of Representatives are simultaneously introducing a similar joint resolution in the House.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. HICKENLOOPER. I have the greatest admiration for Christopher Columbus, who was one of the foremost navigators of the world and a very great man. However, I understand that he never reached the continental limits of America, and I wonder whether a niche would be provided in the proposed structure which would recognize the accomplishments of Leif the Lucky and Eric the Red, who, as history seems to indicate, did reach the continental limits of America several hundred years before the historic voyage of Christopher Columbus. I say that without any attempt to detract from the accomplishment of Christopher Columbus, but I wish to keep history straight, as I understand it.

Mr. IVES. I think it is quite appropriate to do so. However, I should like to point out that the recognized discoverer of America, according to our history books, is Christopher Columbus.

INVESTIGATION OF POINT 4 PROGRAM

Mr. MANSFIELD. Mr. President, I submit for appropriate reference, a resolution calling for a full and complete study of the technical assistance and related programs authorized by Public Law 535, 81st Congress.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 214), submitted by Mr. MANSFIELD, was referred to the Committee on Foreign Relations, as follows:

Whereas the Act for International Development (the technical-assistance program, Public Law 535, 81st Cong.) has been in operation for 4 years; and

Whereas that act declares it to be the "policy of the United States to aid the efforts of the peoples of economically underdeveloped areas to develop their resources and improve their working and living conditions by encouraging the exchange of technical knowledge and skills and the flow of investment capital"; and

Whereas the administration of the program has recently been transferred from the Department of State to the Foreign Operations Administration; and

Whereas reports have been received indicating in some areas of the world a tendency for purposes of the program to become distorted; and

Whereas if the technical-assistance program is to contribute to the foreign policy purposes of the American people and to hold full promise of helping underdeveloped areas to realize the full potential of democratic life: Now, therefore, be it

Resolved, That the Committee on Foreign Relations, or a subcommittee thereof, hereinafter referred to as the committee), to consist of 6 members chosen equally from both parties by the chairman of the Foreign Relations Committee (in conjunction with 2 other Senators, not members of the Committee on Foreign Relations and not of the same political party, designated by the President of the Senate), is hereby authorized and directed to make a full and complete study of technical assistance and related programs authorized by the terms of Public Law 535, 81st Congress, as amended.

SEC. 2. The said committee shall, without limiting the scope of the study hereby authorized, direct its attention to the following matters:

1. The general level of authorizations of funds for the future to enable the program efficiently to achieve its purposes;

2. The relationship between the United Nations technical-assistance program and that conducted by the United States;

3. The coordination of United States agencies in operations within and outside the United States;

4. The extent to which the program has been able to utilize private agencies in achieving its purposes;

5. The degree of self-help and mutual assistance available in countries receiving technical assistance;

6. The relationship between technical assistance, economic aid, and military assistance; and

7. The effectiveness of the administration of the program in advancing the foreign policy of the United States.

SEC. 3. The Committee on Foreign Relations shall transmit to the Senate prior to February 1, 1955, the results of the study herein authorized together with such recommendations as may be found desirable.

SEC. 4. In the conduct of this study, full use shall be made of the reports submitted by the International Development Advisory Board. The executive agencies concerned with this program are requested to give the committee such assistance as it may require.

SEC. 5. For the purpose of this resolution, the committee is authorized to employ on a temporary basis until February 1, 1955, such technical, clerical, or other assistants, experts, and consultants as it deems desirable and to reimburse the Library of Congress for such assistance as it may be called upon to supply over and above that normally made available to congressional committees. Notwithstanding any other provision of law, the necessary expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Foreign Relations or the chairman of the subcommittee, as the case may be.

Mr. MANSFIELD. Mr. President, my resolution gives recognition to the principle that a formal senatorial review of our basic foreign policy, at least, in this respect should be undertaken.

As I have said, the resolution calls for a full and complete study of the technical assistance and related programs authorized by Public Law 535, 81st Congress. It would entrust this task to a special bipartisan subcommittee of the Foreign Relations Committee, to include two other Senators, not members of the committee.

I am confident that if the resolution is adopted we can expect a bipartisan study of the point 4 program similar to the one conducted on the overseas information program, under the successive and outstanding chairmanships of the

junior Senator from Arkansas [Mr. FULBRIGHT] and the senior Senator from Iowa [Mr. HICKENLOOPER]. It will be the same kind of study as the one now being conducted on review of the United Nations Charter by the chairman of the Foreign Relations Committee, the able senior Senator from Wisconsin [Mr. WILEY]. In short, the investigation will be thorough, responsible, and constructive. It will be the sort of investigation which will enable the Senate more effectively to discharge its functions in the field of foreign relations.

Mr. President, I ask unanimous consent to have a short statement on the resolution printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD

A FULL AND COMPLETE STUDY OF THE TECHNICAL ASSISTANCE PROGRAM IS NEEDED

Almost 4 years ago Congress gave approval to the Act for International Development. This act, Public Law 525, 81st Congress, is the legislative cornerstone of the point 4 program. Behind the point 4 concept is the belief that with our technical and scientific knowledge we can help the peoples of the underdeveloped parts of the world to make a better life for themselves.

When this program was proposed, it was not conceived of as a massive program of economic aid. It was not intended to transplant the American way of life to countries which, in terms of material progress, were centuries behind us. We did not expect to lend even a hoe or an insecticide sprayer unless we were asked to do so. What we planned to do, in short, was to extend a friendly scientific and technical hand, if it might be useful, to less fortunate countries.

From our own national point of view we saw point 4 as a means of reducing the threat to peace that grows out of human misery; of encouraging the sound development of free people by helping them to avoid the pitfalls of communism and other forms of totalitarianism in their eagerness for material development. We saw it as a long-range program which would bring us our recompense eventually, in an expansion of mutually advantageous economic relations; and most of all in the development of the warm friendship and respect that can grow out of sincere neighborly exchange and assistance. This idea had an appeal not only to the good sense but to the hearts of all decent Americans. It was rooted in the national tradition of consideration for the less fortunate.

When the point 4 idea was originally advanced it was greeted with great enthusiasm both here and abroad. In the 4 years that have elapsed since the passage of the International Development Act we have had an opportunity to observe the idea in action.

Our technicians and scientists have spread out into the remote corners of the world. They have imparted their knowledge to peoples eager to learn how they might use modern instruments to combat ancient enemies, to root out poverty, ignorance, and disease. Under the program, we have also brought many foreign students to this country for technical training. When they have returned to their homes they have often taken with them not only the keys to a fuller, healthier life for their native lands, but also a deeper and clearer perception of the basic decency of the American people. We have also learned much from other nations in this interchange of persons.

Just a few months ago in a visit to the Kingdom of Nepal in the Himalayas, I had occasion to observe an example of the point 4 program at its best. Less than a dozen Americans isolated from the rest of the world, working under conditions of great adversity, are creating a profound impact on the lives of 7 million people. They are doing this by introducing the most basic improvements in agriculture, sanitation, and education, by teaching the local peoples how to use a DDT spray, to build a safe well, to plant improved seeds, and to control plant diseases. I should like to read a section of a report which I made to the Foreign Relations Committee in November last year covering the work of this technical mission:

"NEPAL

"Wedged between Tibet on the north and India on the south, the Kingdom of Nepal is among the most isolated of nations. Except for the Gurkhas, who have fought in many lands, the people of Nepal for centuries have had little contact with the mainstream of world developments. Until 1947, the country had been visited by probably less than 50 western nationals. Previous to this study mission no Member of Congress had ever entered the country.

"Long isolation clearly reflects itself in the life of the nation. Electricity, automobiles, trains, telephones are practically unknown in most parts of the country. In a nation the size of the State of Tennessee there are only some 300 miles of highways and until this year none connected the capital of Kathmandu with the outside world. Economic techniques, which in many regions do not even include use of the wheel, are those which we generally associate with 500 to 1,000 years ago.

"Vast numbers of the 9 million inhabitants are unacquainted with newspapers, radios, or schools. Less than 2 percent of the population is literate. Modern medical care and facilities are available to less than 1 percent of the population, and consequently preventable diseases are rampant.

"In recent years, echoes of life in other parts of the world have penetrated into Nepal. Chinese Communist influence has reached the northern border via Tibet. Concepts of democracy and the hope for economic progress have begun to filter through from India and the West.

"There was a time when Nepal could continue its existence unaffected by developments elsewhere in the world. That time has passed. Outside forces playing upon the country and internal pressures of discontent have already produced an overturn of the ancient absolutist regime of the hereditary prime ministers (the Ranas). In its place has come the beginning of democracy. Marxist totalitarianism, however, competes for the loyalties of the Nepalese during this period of transition. A contest is now in progress which will draw the emerging nation either toward Communist totalitarianism or freedom. The outcome of this contest depends to a great extent on the rapidity with which the long pent-up, long-postponed, and now rapidly growing demand for economic and social progress can be filled by the adherents of democracy.

"The Foreign Operations Administration

"In this setting of extreme isolation, of economic stagnation, and of political transition, less than a dozen Americans have been engaged in seeking to help the emerging nation move in the direction of freedom. They are, for the most part, technicians in the field of agriculture, health, and mining. They have been operating for about a year, without fanfare and with a deep sense of dedication to the basic concepts of the point 4 program. Living conditions for them and their families, if they do not constitute an actual hardship, are certainly not luxurious.

"This small Technical Cooperation Administration mission which now operates under the Foreign Operations Administration is engaged in several lines of basic social and economic endeavor. Their work, in support of the efforts of the Nepalese themselves, is in the following fields: village improvement, agricultural development, public health, mineral exploration and education.

"A village-improvement program was inaugurated during the summer of 1952. American participation in this program consists of the training of Nepalese instructors in simple skills so that they, in turn, can help to improve the lot of the millions of villagers throughout the country. The first Nepalese graduates of the training classes are already at work in the villages. They are instructing the villagers in such elementary matters as building safe wells and household sanitation. They also are tackling the problem of illiteracy.

"Under an agricultural-development program, the TCA mission has been experimenting with new plants and seeds. The first year's trials indicate that agricultural production can be raised 20 percent simply by introducing higher yielding, disease-resistant seeds. Such seeds are now being distributed to the peasants. As a further aid to production, a project in plant disease and insect control has also been launched. Work also goes forward in livestock improvement, both in breeding and in the prevention of diseases. There has also been progress in replacing antiquated farm equipment with simple but far more effective devices. Plans are now being drawn up to extend the use of irrigation.

"In the field of public health, the major undertaking involves malaria control. Nepalese technicians are trained for this work and supplies of DDT and other equipment have been secured. There is promise that within a short time this scourge which causes more deaths than any other disease in Nepal may be virtually wiped out.

"In the mining field, the TCA mission has established a laboratory for analyses of specimens which is to be turned over in time to the Nepalese Government. It has also assisted in writing basic legislation designed to encourage private prospecting. In this work, there is close cooperation with a United Nations mineral specialist who has been assigned to the country.

"The educational program has involved both the sending of qualified Nepalese to the United States for advanced training and the development of a mass literacy program. The latter is based on a survey undertaken some time ago by Dr. Frank Laubach and will be carried out by village-improvement workers.

"The educational exchange program does not appear to be adjusted to the present requirements of the country. The immediate need is not so much for advanced technicians as it is for trained men, with practical working experience and with a capacity to show by doing.

"Efficacy of the TCA mission

"The TCA program in Nepal will cost the United States $600,000 in the current fiscal year. To this, the Nepalese Government is expected to add about an equal amount in local currency.

"The cost of TCA in Nepal to the United States is lower than that of any other country program in the Near East, Africa, or Asia. Fewer Americans are employed in Nepal than in any other TCA mission in this region.

"In these circumstances, the accomplishments of the American technicians during a year of operations in Nepal are remarkable. They are helping the Nepalese people to get out of the economic and social doldrums. In so doing they appear to have won the confidence of Nepalese of all political com-

plexions except the Communists. There is a visible fund of goodwill for the United States in Nepal, which in all probability is traceable in large measure to the efforts of the TCA mission.

"Their success is a tribute to the good sense of the Acting Director and his staff. These Americans from the outset have recognized that the primary responsibility for development rests with the Nepalese people. They have kept the American mission small and auxiliary to the efforts of the Nepalese themselves. They have stayed out of the internal politics of the country. They have lived among a poverty-stricken people, maintaining decent American standards but avoiding the luxurious ostentation which afflicts too many of our official installations abroad. They have shunned high-pressure publicity and loudmouthed promises. Most of all, they have not permitted cynicism to drain the point-4 program of its spiritual content. In short, they live and work in the finest American tradition.

"The following statement by Paul W. Rose, the Acting Director of the program, indicates a deep perception of the role of point 4 in our foreign policy:

" 'Some of our American citizens may question why we are doing this work in Nepal since they know that Nepal is not an important source of trade or raw materials. They realize, also, that Nepal is certainly not in a position to have great influence on world politics even though many people in Nepal and India refer to it as a buffer between Communist Tibet and democratic India. Those of us who are working in Nepal believe that America has a great contribution to make to freedom in Nepal, freedom from poverty, freedom from disease, and freedom from ignorance. We believe that we can contribute to these freedoms and by doing so make our own freedom more secure. We also believe that friendship is based on understanding and on mutuality of purposes. We know that, as we become better acquainted with the Nepalese and as the Nepalese know the Americans better, a more firm foundation for friendship and understanding will be created. These are necessary in a world where good neighbors are essential for peace.

" 'The technical-assistance program should not lose this eminently sound and dignified concept. The identity of the program should not be obscured in slick reorganization plans which would make it indistinguishable from military aid. The program should remain one of long-range building of good will and mutuality of interest. If it does not, the good already accomplished will be lost, and we are likely to reap a harvest of enmity rather than friendship for our expenditures and our efforts.' "

Unfortunately, it is not possible to report as favorably on the operation of the point 4 program in some parts of the world. On the contrary, when I was in Indochina several months ago, I found considerable criticism of the conduct of the technical-aid program. Charges of extravagance, mismanagement and incompetence were common. Other Members of Congress, after inspections abroad have indicated the existence of questionable or distorted and wasteful practices in connection with this program in other areas. The distinguished Senator from Louisiana [Mr. ELLENDER], for example, was reported in the press to have discovered that many costly capital investments were being made by impatient and overly ambitious administrators of the point 4 program in some countries. This would hardly be in accord with the basic purpose of the act for international development.

Only a few days ago an Associated Press dispatch printed in the New York Times carried a lead paragraph which reads as follows: "How to get rid of money has been one of the toughest problems faced in Lebanon by the United States point 4 program of technical aid." According to this dispatch, it seems that Lebanon cannot decide precisely what is wanted in the way of technical aid. Meanwhile the FOA maintains 60 Americans and 137 local employees in this country of less than 1½ million inhabitants.

I do not know how much validity rests in these and similar reports. I do know, however, that in the 4 years that have gone by since the program was enacted into law, Congress has appropriated almost half a billion dollars for technical and related assistance. Despite these expenditures we have no assurance that the program is contributing as much as might be expected to the success of our foreign policy. We do not know if we are duplicating the work of the United Nations in this field or if they are duplicating ours. We do not understand clearly the relationship between technical and other types of assistance extended by this country.

We do not know, in short, if we are using the best techniques in the program for advancing the foreign policy of the United States. Yet, the manner in which point 4 is conducted is intimately tied to the success or failure of many aspects of our foreign policy. It is a principal avenue of contact between ourselves and many of the smaller and newly independent nations of Asia, Africa, and Latin America. It is bound to have a lasting effect on the course of our relations with these nations.

We must be certain point 4 is constructive, that it is making friends, not enemies for this country. While endorsing the principle of point 4, therefore, I think the time has come for the Senate to look deeply into the practice. What is needed is a complete review of the program.

When the Act for International Development was under consideration in 1950, it was clearly the intent of the Senate to limit the initial authorization in order to permit a new look at the program after several years of experience had been accumulated in its operation. A report of the Foreign Relations Committee on this legislation stated at the time:

"Although it may prove desirable to continue the program for a period of years, the committee is unwilling at this time to place it on a permanent basis unless and until it has proved itself. Because the program is new and because it will take some time to set up the necessary administrative machinery as well as to secure the required technical competence the committee recommends that the Senate limit its present authorization to a period of 5 years."

This time limit was incorporated into the Senate version of the legislation but was removed in a conference compromise.

The principle of formal senatorial review of a basic foreign-policy measure such as this was sound then. It is sound now.

The resolution I am introducing gives recognition to this principle. It calls for a full and complete study of the technical assistance and related programs authorized by Public Law 535, 81st Congress. It would entrust this task to a special bipartisan subcommittee of the Foreign Relations Committee, to include two other Senators not members of the committee.

I am confident that if this resolution is adopted we can expect a bipartisan study of the point 4 program similar to that conducted on the overseas information program under the successive and outstanding chairmanships of the junior Senator from Arkansas [Mr. FULBRIGHT] and the senior Senator from Iowa [Mr. HICKENLOOPER]. It will be the same kind of study now being conducted on review of the United Nations Charter by the Chairman of the Foreign Relations Committee, the able Senator from Wisconsin [Mr. WILEY]. It will be, in short, a thorough, responsible, and constructive investigation. It will be the sort of investigation that will enable the Senate more effectively to discharge its functions in the field of foreign relations.

LIMITATION OF DOWNWARD ADJUSTMENT ON PRICE SUPPORTS FOR DAIRY PRODUCTS—ADDITIONAL COSPONSOR OF BILL

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I received from the Senator from Wisconsin [Mr. WILEY] requesting that he be added as a cosponsor of the bill (S. 2962) to amend the Agricultural Act of 1949 to provide a limitation on the downward adjustment of price supports for milk and butterfat and the products of milk and butterfat.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
February 20, 1954.

Hon. EDWARD J. THYE,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: This will confirm my talks with you about the recent Benson pronouncement.

As I said to you personally, I feel that your bill, S. 2962, has merit, and I would like to be a cosponsor with you on the same.

We all appreciate that the economic health of our States depends on the economic health of our farmers.

With kindest personal regards, I am,

Sincerely yours,

ALEXANDER WILEY.

NOTICE OF PUBLIC HEARINGS ON PROPOSED HOUSE LEGISLATION

Mr. CAPEHART. Mr. President, as chairman of the Committee on Banking and Currency, I desire to give notice that public hearings will begin at 10 a. m. on Tuesday, March 9, 1954, in room 301, Senate Office Building, on S. 2938, the Housing Act of 1954, and any proposed amendments thereto; also on certain other housing bills now pending before the committee.

Government witnesses will be heard on March 9, 10, and 11. Non-Government witnesses wishing to testify should contact Mr. Ira Dixon, clerk of the Senate Committee on Banking and Currency, not later than March 5, 1954.

INTER-AMERICAN AMITY

Mr. WILEY. Mr. President, I was extremely interested to note in the Sunday, February 21, New York Times a letter to the editor on the important issue of maintaining Pan-American unity.

The letter was written by the Reverend Dr. Joseph F. Thorning, advisory editor of the Americas and one of the best qualified observers on the inter-American scene.

Dr. Thorning has been decorated by many of the governments and honored by the universities of the hemisphere; he is held in very high esteem by students of inter-American relations.

He points out in his letter the necessity of firm and continuing private enterprise type economic relationships among the 21 American Republics.

He points out further that the current inquiry into the problem of coffee should be conducted in a manner consistent with the maintenance of North, Central, and South American friendship.

I ask unanimous consent that the text of the article be printed at this point in the body of the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FOR INTER-AMERICAN AMITY—OUR RECOGNITION OF IMPORTANCE OF HEMISPHERIC PROSPERITY ASKED

To the EDITOR OF THE NEW YORK TIMES:

Your editorial of February 15, Inter-American Affairs, is right on the target. It is overwhelmingly evident that the mainspring of an effective good-neighbor relationship is to be sought in the field of economic policy.

Agreement on "the general principle" is not enough. Economic cooperation must be reflected in the standard of life of the workers, farmers and educators of the other American republics. What every self-respecting citizen in the Western Hemisphere desires and expects from the people of our own country is a fair price for his products.

Our good neighbors are not keen about loans, grants-in-aid, or handouts in any form. They want steady markets for the raw materials or mineral wealth that requires arduous labor to be separated from the soil. They recall the premium prices that were paid for Chilean copper, Mexican lead and zinc, Peruvian long-staple cotton, Brazilian quartz crystal (vital for electronic communications), Ecuadorian balsa wood (essential for life preservers), Uruguayan wood, Colombian-Venezuelan oil, and sugar from Cuba, Haiti, and the Dominican Republic, in time of war.

If the producers of these commodities, necessary when sea routes were hazardous, became accustomed to a somewhat better type of housing, food and clothing, they had a right to think that their wartime exertions and sacrifices would be remembered gratefully. And they are the first to point out, with reason, that every dollar spent in the United States for coffee, sugar, wool and oil comes back into the pockets of automobile and electrical workers, producers of farm machinery, canners, television and radio manufacturers, and even packers of meat products.

RETALIATION AGAINST RESTRICTIONS

How dangerous a policy of "wait and see" can become should be clear from the recent threat of the Venezueleans to cut off their $500 million yearly purchases from the United States if Washington adopts restrictive measures affecting Venezuelan exports, such as oil and coffee.

Another warning was sounded by Colombian Foreign Minister Evaristo Sourdis, who declared that if the United States Government places controls on coffee prices the repercussions "would shatter continental unity." Is it sensible to make huge investments in the cause of inter-American amity and then throw out "the baby with the bath"? In my judgment Dr. Sourdis is exactly right in proclaiming that "the question of coffee prices provides a test of United States good-neighbor policy."

What a golden opportunity there still is for the United States leaders in the White House, the State Department, and the Congress to emphasize, at this critical moment—eve of the 10th Inter-American Conference scheduled to open on March 1—that the whole inquiry into the price of coffee will be, and should be, conducted within the framework of friendship.

It would be easy for the spokesmen for the United States to bring home to our coffee consumers, whose legitimate interests need protection, that whereas a Latin-American plantation laborer receives about 10 cents an hour, the average wage for comparable work here may be more than a dollar an hour.

CONTROLLING SPECULATION

Above all, the investigation should be predicated upon the good faith of those whom we like to describe as our "good neighbors." If there is speculation—and there usually flourishes a gambling spirit when commodities are in short supply—it is an evil that can be controlled without destroying the efforts of thousands of Americanistas who have laid the foundations for friendship throughout this hemisphere.

Why cannot our inter-American conscience advise us that prosperity for the people of the other American republics is bound to produce a golden harvest for our own workers? May not this type of economic cooperation prove more realistic than storms of mutual recrimination?

Unless the stability, the tariff concessions, the tax relief, the public loans, the expanded technical aid, the extra stockpiling and the public relations (recommended both by Dr. Milton Eisenhower and the New York Times), we may find that our failure may be the equivalent of 30 Soviet divisions below the Rio Grande.

The Reverend Dr. JOSEPH F. THORNING.
WASHINGTON, *February 16, 1954.*

RECOGNITION OF COMMUNIST CHINA

Mr. FLANDERS. Mr. President, it is very evident that wrong influences are at work trying to lead us or drive us into recognition of Communist China. Some of these influences come from abroad. Some of them come from our own country. Those which come from abroad have for some time been largely British. Unfortunately, Great Britain has always been strongly swayed by commercial considerations; and following the First World War commercial considerations with relation to Manchuria, with relation to Italy, and with relation to the Rhineland, brought on the Second World War.

Now Great Britain has recognized Communist China. Communist China refuses to recognize Great Britain, and holds her in contempt. We do not wish to find ourselves set in the same course. But there are still strong influences at work in this country looking to the recognition of Communist China. I do not know just where to look for them, but suspect that they are to be found in the hard core of diplomatic practice in the State Department. It is in accordance with diplomatic tradition and procedure that we should be recognizing governments with which we have no sympathy whatever; but the fact remains that this is a completely different situation from any that has occurred heretofore.

I wish to place in the RECORD, after a few further remarks, a statement by Hon. Joseph C. Grew, who is connected with the Committee of One Million, which is unalterably opposed to the recognition of Communist China. The chairman of the Committee of One Million is Warren Austin, who originated the phrase that Communist China should not be permitted to shoot her way into the United Nations. With these two experienced and able elder statesmen opposing strongly as they do this attempt to obtain recognition for Communist China, I feel that we should give them every support possible, and I urge the support of the Committee of One Million.

Mr. MALONE. Mr. President, will the Senator yield to me for a question?

Mr. FLANDERS. I yield.

USE OF VETO TO PREVENT RECOGNITION OF COMMUNIST CHINA

Mr. MALONE. Has Secretary of State Dulles ever said that we would use the veto to prevent the recognition of Communist China?

Mr. FLANDERS. I will say to the Senator from Nevada that I understand there is involved a question of procedure which has not been resolved. The point has been made that the veto does not apply in such a case. I would yield on that point, not to engineers like the Senator from Nevada and myself but to some of the many able lawyers whose countenances I see scattered around this Chamber. The question is too much for me.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. FLANDERS. I yield.

STATE DEPARTMENT

Mr. MALONE. That may be true; but no difficulty or question is ever raised about the legality of the action of our State Department when it wishes to take positive action.

Furthermore, Secretary of State Acheson must have thought it applied when he asserted, in addressing a joint meeting of the Congress following his return from a tour of Europe, that we would not use it.

In 1951, on the occasion of the meeting between Great Britain, Canada, and the United States, the junior Senator from Nevada stood on the floor of the Senate, which at that time was meeting in the old Supreme Court room, and stated that as his considered opinion, there had been an agreement made between our own State Department and Great Britain to follow Great Britain in the recognition of Communist China and in the devaluation of the British pound. The agreement was publicly denied at the time, but the British delegation's return home was followed immediately by the devaluation of the pound.

The two nations agreed that we would follow the British in the recognition of Communist China and later Secretary Acheson by his own statement agreed that we would not use the veto to prevent such recognition.

Our present Secretary of State has never said that we would use our veto power to prevent the recognition of the Russian satellite, Communist China.

Mr. President, the Secretary did say at one time that we would be justified in using the veto to prevent recognition of Communist China. On another occasion the distinguished former Senator Austin said, as the Senator from Vermont has

quoted him, that we would not allow any nation to shoot its way into the United Nations. They have now stopped shooting.

I say again, Mr. President, that our present Secretary of State has never said that we would use the veto to prevent the recognition of Communist China. He has never by so much as a sign that the commitment of Mr. Acheson, not to use it had been reversed.

Mr. FLANDERS. I judge from this interchange of remarks that the Senator from Nevada agrees with me that Communist China must not be allowed to become a member of the United Nations, and that we must not recognize her until the situation is different from what it is at the present time.

Mr. MALONE. Mr. President, will the Senator further yield?

Mr. FLANDERS. I do not know whether we are getting beyond our 2 minutes.

Mr. MALONE. I have 2 minutes. Will the Senator further yield?

Mr. FLANDERS. I yield.

RECOGNITION WITH CONNIVANCE OF STATE DEPARTMENT

Mr. MALONE. It is the opinion of the junior Senator from Nevada that public opinion is being deliberately softened for recognition of Communist China, and that, because of the desire of American business to follow the European nations in trading with Communist China and Russia, and that when public opinion has been softened to a sufficient extent the United Nations will recognize Communist China, with the United States prefunctorily voting against it. Then we shall be confronted with an accomplished fact of recognition, and we shall be told then that there is nothing further we can do. Communist China will be in, with the connivance of our State Department.

Mr. FLANDERS. I suggest that the Senator from Nevada and I, and everyone else so minded, join the Committee of One Million, which has hundreds of thousands of signatories already, and see if we cannot stem the undertow which is at work.

Mr. President, I ask to have printed in the RECORD at this point as a part of my remarks an article entitled "Why I Am Opposed to Recognition of Red China," written by Hon. Joseph C. Grew, who, as we all know, was for 10 years our Ambassador to Japan.

The article consists of an interview copyrighted by the International News Service, but I have the permission of the International News Service to have it printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY I AM OPPOSED TO RECOGNITION OF RED CHINA

(By Joseph C. Grew)

The sordid and heartbreaking story of what United Nations troops suffered at the hands of their Communist captors left no doubt in the civilized world as to the nature of communism. If there had remained any shred of support for the old myth that Chinese Communists were somehow different from their Russian comrades, if the wretched nonsense about agrarian reformers still prevailed, all this has been dispelled by the immutable evidence of the Korean war. The argument that we can best pry them loose from Soviet domination by recognition seems to me wholly illogical in the light of practical experience.

Even the 21 Americans who somehow chose communism over their birthright are obviously the victims of pressures more powerful than themselves. They are pitiful puppets, mouthing the discredited slogans of a ruthless dictatorship—for unfathomable reasons.

This negative side of almost world-wide opposition to Red China is very well-known. So well-known that we take it as a matter of course. But at a time when there has been a great deal of pressure toward foisting a wait-and-see attitude on the American public, it is even more important to know the many positive reasons for opposing any sort of recognition of the enemy as anything but the enemy.

Throughout southeast Asia there are some 12 million people known as the overseas Chinese. They are not merely run-of-the-mill citizenry, but in many cases form the backbone of the economic, social, and political life of the community. For them, Formosa continues to shine as the beacon of hope for that whole part of the world. Should the West, for any reason whatsoever, displace the Nationalist Government by the Communist, these 12 million people would then be forced to follow our lead. This would be only the first step in the total collapse of the East and its absorption into the Communist empire. It would be not merely victory for the Communists, but a literal and moral defeat such as the United States has even yet not known.

And at what a time. The Communist system gives many evidences of crumbling from within. The only thing that can keep it going is our willingness to make deals. And any deal we make is to their advantage.

Within the past year, international communism suffered two serious blows. On June 17 began the series of mass uprisings in East Berlin. For the first time the slave-subjects of communism were successful in mass demonstrations against their captors. The second defeat, and possibly even more significant, was the refusal of 22,000 Chinese POW's to accept repatriation. Here was not merely the proof of the nature of communism—here was a positive demonstration of the deep desire for freedom on the part of the people of Asia. Thousands of men by their willingness to sacrifice reunion with their loved ones, to abandon their return to home soil, and all the things that go with it, demonstrated that without freedom all is ashes. We, who have never known that desperate choice, cannot do less than support their courageous decision.

The great body of American people know this. But somehow, sometimes, in the counsels of the mighty, simple truths are mislaid. Within past weeks it has been suggested that it is not wise for the United States to take a firm stand either for or against recognition or for or against admission of Red China to the United Nations because it would destroy this country's bargaining power. There might come a time when we should modify our trade policies (from the present "no trade") on the basis of Communist behavior and American business interests.

Is not this a despicable proposal to put the dollar above security? When the United States of America compromises principle for expediency in this issue the worm will have entered the apple. The American public, which by the hundreds of thousands has been flocking to support the Committee for One Million's petition against the admission of Red China to the United Nations, understands that there can be no time when Communist philosophy and doctrine as practiced by Red China will be in the interest of any but the Communists. And the voices of the Americans who signed the petition of the Committee for One Million are, and will eternally, be raised in reminder of that fact. We, in the United States, have done what the Communists claim to do—listened to the overwhelming voice of the people.

Much has been made of the fact that the scrap iron we sold to Japan was returned to us in the form of bullets. How much more ironic, to the point of dishonor, to permit Chinese Communists to march into the United Nations buildings over the bodies of the United Nations troops they shot, tortured, and starved to death.

GEORGE WASHINGTON'S PRAYER FOR OUR COUNTRY

Mr. MARTIN. Mr. President, yesterday we read and carefully considered the wise counsel which has come down to us in the farewell address of George Washington.

Washington was a devout Christian. Out of his deep religious convictions he invoked a prayer for our country. He prayed that our Nation might always be a land of honorable industry, sound learning, and pure manners.

We all pray that the time may come when the mind of every American may be imbued with the spirit of Washington's prayer.

I ask unanimous consent that the prayer for our country be printed in the body of the RECORD at this point as part of my remarks.

There being no objection, the prayer was ordered to be printed in the RECORD, as follows:

A PRAYER FOR OUR COUNTRY

(By George Washington)

Almighty God, who hast given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogancy, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be peace and justice at home, and that through obedience to Thy law, we may show forth Thy praise among the nations of the earth. In the time of prosperity fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail. All of which we ask through Jesus Christ, our Lord. Amen.

NATIONAL ENGINEERS' WEEK

Mr. MALONE. Mr. President, the current week, February 21 through February 27, has been set aside in observance of National Engineers' Week.

Hundreds of cities across the Nation have planned programs and ceremonies in honor of America's engineering profession.

As Senators know, National Engineers' Week is observed every year during the week of George Washington's Birthday to commemorate our first President's notable engineering feats, many of which helped win our struggle for independence during the Revolutionary War.

As a registered professional engineer in my home State of Nevada and as a member of the National Society of Professional Engineers, which is the sponsor with hundreds of other engineering groups across the Nation of National Engineers' Week, I am especially happy to invite my fellow Americans to reflect a moment upon the many benefits the science of engineering has brought to them.

The President of the United States has written a very excellent letter upon this subject to Mr. T. Carr Forrest, Jr., president of the National Society of Professional Engineers. I ask unanimous consent to make it a part of my remarks in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, December 9, 1953.

Mr. T. CARR FORREST, Jr.,
President, National Society of Professional Engineers,
Washington, D. C.

DEAR MR. FORREST: It is particularly fitting that the National Society of Professional Engineers has selected the week of Washington's Birthday as the period in which to observe National Engineers' Week. I heartily endorse this recognition of the engineering accomplishments of our Nation's first President, and I am delighted to use this occasion to pay compliments to America's engineers.

The Nation has long relied on the skill of its engineers. That skill has contributed to our comforts, our welfare, and our security against potential enemies. The responsibilities of our engineers become greater with the passage of each day, and each day we see new evidence of their success in meeting the tremendous challenge of our age.

To American engineers everywhere—to those working in this country and to the many abroad who are contributing to the cause of peace—I extend congratulations and best wishes. May the observance of National Engineers' Week in 1954 serve to remind our citizens once more of the great service performed by America's engineers.

Sincerely,

DWIGHT D. EISENHOWER.

THE PUBLIC DEFENDER SYSTEM IN CONNECTICUT

Mr. BUSH. Mr. President, one of the major problems in the administration of public justice is the provision of adequate legal counsel to persons who lack the means to employ the services of a skilled lawyer.

Various proposals have been made in Congress from time to time to establish a public defender system in the Federal courts to insure that every person accused of crime, the poor as well as the rich, will have an opportunity to present his best defense.

Since 1917 my own State has had a public defender system in operation in each county of the State. Connecticut and Rhode Island, as a matter of fact, are now the only States in which the public defender system exists on a statewide basis.

The February issue of State Government, the magazine of State affairs, contains an interesting article, The Public Defender System in Connecticut, by David Mars, an instructor in government and international relations at the University of Connecticut. I ask unanimous consent that this informative article be printed in the RECORD for the benefit of Members of Congress who are interested in this important problem.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PUBLIC DEFENDER SYSTEM IN CONNECTICUT

(By David Mars)

Equality before the law has long been one of the ideals of American jurisprudence. Too frequently, however, this ideal has not been realized in practice. No one but the most naive would assume that an impoverished individual usually has the same opportunity of winning his case in court as does an individual of wealth and resources.

In order to mitigate somewhat the inequity of this situation and to provide completely bankrupt persons with at least a modicum of legal aid, every State in America has made some provision to help indigent persons in their appearances before judicial bodies. In almost every case, the legal assistance provided for by the States takes the form of assigned counsel. In the system of assigned counsel, the court nominates an attorney to handle the case for the indigent person. The assignments ordinarily are made on an ad hoc basis in each case, and too frequently they go to young and inexperienced lawyers. Attorneys with well-established practices are usually reluctant to accept such assignments, since the fees are quite small, and in some cases nonexistent. Consequently—as many students of government have been quick to point out—the indigent person's case is bound to suffer as a result of the inexperience of his assigned counsel.

In addition to this grave defect in the system of assigned counsel, other irregularities, some quite serious, have crept in. They include such practices as attempts by the defending lawyer to extort additional money from the family of the accused person, persuading the accused to plead guilty in order to save counsel time and trouble, and similar maneuvers.[1]

The alternative to assigned counsel is the public defender system. The public defender is a public officer who is paid a fixed salary by a government, and in whom is vested the responsibility for defending persons who have been charged with crimes and who are unable to pay for their own defense. Such an office has existed in certain European countries for several centuries. Its first appearance in the United States was in Los Angeles County, Calif., in 1914. Since that date, several metropolitan areas, notably San Francisco, Cook County (Chicago), Douglas County (Omaha), and Hennepin County (Minneapolis), have adopted this plan. In 1917, Connecticut enacted legislation providing for a public defender in each county.[2]

Connecticut and Rhode Island are the only States in which the system is being used on a statewide basis. Its operation in Connecticut now will be described briefly.

Connecticut's eight counties serve as districts for the State's judicial system. In addition, parts of New Haven and Litchfield Counties together comprise the judicial district of Waterbury. In each of the State's nine judicial districts, a public defender is appointed. The appointments are made by the judges of the superior court sitting en banc at their annual meeting in June. In order to assure adequate defense for indigent persons, public defenders must be attorneys with at least 5 years' experience. They are charged with the responsibility for defending all persons accused of crimes where those persons are "* * * without funds sufficient to employ counsel for such defense."[3] Appointments are made for a period of 1 year, but reappointments are the regular practice, and public defenders serve, as a rule, until their voluntary retirement or resignation.

The salaries of public defenders are paid by the State[4] and are charged to the budget of the judicial department in the same way as are the salaries of all other officers of that department, such as judges and State's attorneys. The salaries vary approximately according to the population of the judicial district within which the public defender is operating. Following is a list of the counties and judicial districts of Connecticut, with their population (1950 census figures), and with the annual salaries of their public defenders:

	Population	Salary
Hartford	539,661	$4,800
Fairfield	504,342	4,800
New Haven [1]	364,061	4,800
Waterbury (judicial district)	207,667	2,280
New London	144,821	2,280
Litchfield [2]	72,928	1,680
Middlesex	67,332	1,680
Windham	61,759	1,680
Tolland	44,709	1,200

[1] New Haven County is the most populous in the State, with a population (1950) of 545,784, but 181,723 of these people reside in the 12 towns of that county which are part of the judicial district of Waterbury.

[2] Litchfield County has a total population of 98,872 (1950), but 25,944 of these people live in the 5 towns which lie within the judicial district of Waterbury.

No figures are available for the number of cases public defenders handle. However, several public defenders have estimated the number they try annually,[5] and on the basis of these estimates it may be stated that the fee earned in a case averages between $20 and $30, quite a modest amount. Public defenders are not barred from the private practice of law, and they may even undertake to defend criminal cases privately,[6] although most of them seem to avoid doing so. Since many persons charged with crimes are indigent, public defenders frequently find themselves handling the bulk of the criminal defense work in the county.

Anyone charged with a crime and without funds to retain private counsel may ask

[1] For an analysis of the inadequacies of the assigned counsel system, see Mayer C. Goldman, the Public Defender (New York: G. P. Putnam's Sons, 1917), Ch. II; Charles Mishkin. The Public Defender, Journal of Criminal Law and Criminology, XXIII, No. 4 (November 1931), p. 493; and Philip J. Finnegan, The Work of the Public Defender of Cook County, ibid., XXVI, No. 5 (January 1936), pp. 711–712.

[2] Chapter 225 of Public Acts of 1917 provides (in part) as follows: "The judges of the superior court at their annual meeting in June, or any judge thereof designated to hold any criminal term of said court, at least 30 days prior to the opening of such term, shall appoint an attorney at law, of at least 5 years' practice, to act as attorney in the defense of all persons charged with crime in said court when such person is without funds sufficient to employ counsel for such defense."

[3] General Statutes of Connecticut (Revision of 1949), sec. 8796. Ordinarily, the public defender, in his discretion, decides whether or not the person seeking his aid is "without funds sufficient" within the meaning of the statute. Persons who can well afford private counsel frequently try to enlist the aid of a public defender in order to avoid paying fees.

[4] Prior to 1946, public defenders were paid an allowance on invoice.

[5] Windham: 60; New London: 100; Hartford: 200.

[6] A public defender is prohibited only from appearing on behalf of the State in any criminal case in the court to which he is attached. The Connecticut Practice Book of 1951, sec. 16.

the public defender to defend him. The defender comes into the case after the accused person has been bound over by a lower court or a trial justice to the Court of Common Pleas or to the Superior Court.[7] If the accused is free on bail, he may come to the public defender's office and there arrange for his defense. Most indigent persons, of course, cannot raise bail, and hence are incarcerated while they await trial before the court to which they have been bound over. In these latter cases, the public defender enters the proceedings in one of two ways: (1) In some counties, the State's attorney furnishes him with a list of all those prisoners who are apparently without funds sufficient to provide for their legal defense, or (2) the public defender goes to the jail and interviews all prisoners who have indicated a desire to see him. In both types of cases, the public defender enters the case approximately 2 weeks before the term of court in which the accused is to stand trial.

It is the duty of the public defender to interview every prisoner who has asked to see him, or who has come to see him, and he must determine whether or not the prisoner is really without resources sufficient to pay for his own defense. As mentioned previously, the public defender is the person who decides whether or not the accused actually is indigent within the terms of the statute. However, he may be ordered to take a case by a superior court judge, after he has refused, in his own discretion, to do so.

Sometimes indigent persons are ignorant of the fact that they are entitled by law to a defender's services, and a conscientious public defender will make an attempt to discover whether or not there are any such persons in prison. In all cases, whether the defender meets his indigent client in prison or in his own office, he must have the consent of the accused before he may represent him in court.

A public defender's salary is paid to him solely for services rendered in defending indigent persons charged with crime. If a proper defense calls for spending money for such items as pictures, expert testimony, etc., the defender advances the money and is then reimbursed for these outlays upon submission of an itemized statement to the superior court. He is limited in the amount of money he may thus spend in one court term to 5 percent of his basic annual salary, but any judge of the superior court may authorize expenditures beyond that limit.

The system assumes that public defenders shall make no distinction between persons defended by them privately and those they defend because of indigence. One public defender writes, "The same devotion to the cause of a public defender client is called for as that assumed under the highest standards of professional conduct."[8] If it appears to the defender that his indigent client has been unjustly accused or that he has a strong legal case, he must fight for his advantage just as he would for his clients in private practice. Indeed, indigent persons are to be considered as his own clients, since they have no other legal defense. On the other hand, if the defender feels that the accused person has no case and is truly guilty, he advises him to plead guilty, and he then applies to the court for leniency.[9] In these cases, the State is frequently saved the great expense of conducting a trial.

Interestingly enough, a public defender, in preparing a case for an indigent person, may be able to provide him with a better defense than could be given by privately retained counsel; if the defender is on good terms with the police and the State's attorney, he may be given an opportunity to see the State's entire case against the accused, including such items as confessions, witnesses' statements, police notes, etc.

In general, the public defender system appears to have worked very satisfactorily in Connecticut thus far, and this at very small cost to the State.[10] All concerned, including judges and defenders themselves, feel that the system has proved to be one of great value to the judicial process in the State, insuring more nearly equal justice than is possible in jurisdictions where assigned counsel are used. Some criticisms have been heard at one time or another, and these deserve to be noted: (a) Charges of collusion resulting from intimacy between State's attorneys and public defenders, to the detriment of the accused; (b) the intimation (apparently spread by indigent persons who have received severe sentences) that the public defender is really a State's lawyer and only an adjunct of the State's attorney's office; and (c) dissatisfaction expressed, especially by police and law-enforcement officers, that the State must pay for both the prosecution and defense of certain classes of persons. One procedural criticism, noted by a public defender himself, is that the defender comes into the case at too late a date. Frequently, by the time the defender enters the case the accused has signed a statement or confession or in some other way has done somthing to make his ultimate defense much more difficult. This last defect could be obviated by providing for notification of the public defender as soon as a seemingly indigent person is bound over to await trial.

On the positive side a number of points may be made. The public defender system can easily be justified on humanitarian grounds. An indigent person charged with a crime sees mobilized against him the awesome machinery of the State—courts, police, prisons, etc. It is only simple mercy and humanitarianism to provide him with some means to defend himself.

Perhaps the most important thing to be said in favor of the system in Connecticut is that it furnishes some means of defense for indigent persons while it manages at the same time to avoid the various pitfalls and inequities of the assigned counsel system. As suggested earlier, the cost of maintaining such an office ordinarily is recaptured by the State in the savings accruing to it in those cases where the defendant is advised to plead guilty, thereby making a protracted court trial unnecessary. Thus the public defender system in Connecticut represents a saving of both time and money, and it promotes equity and the proper administration of justice.

[7] In a few cases, an accused person is brought directly to trial before the superior court on a bench warrant, but in the overwhelming majority of cases he will have had a preliminary hearing before a lower court magistrate or trial justice, and then bound over to a higher criminal court.

[8] Thomas R. Robinson, The Administration of Justice from the Standpoint of the Public Defender, Connecticut Bar Journal, XXV, No. 3 (September 1951), p. 267.

[9] In every instance, the indigent client is the final judge of how he should plead. Even in the face of a strong recommendation by the public defender to plead guilty, the client may insist on pleading not guilty, and the defender must so enter the plea.

[10] The total expense for public defenders in Connecticut in 1951–52 was $29,103.61, as compared with $87,880.77 for official stenographers, $116,118.20 for coroners, and $229,446.34 for State's attorneys. See State of Connecticut, Judicial Department: Report of Executive Secretary 1951–52, table V.

INADEQUATE TRAFFIC CONTROL AT WATERLOO, IOWA, AIRPORT

Mr. HICKENLOOPER. Mr. President, the city of Waterloo, Iowa, with a population of approximately 70,000, is one of the most vigorous cities in the State for its size and the industries it fosters. It has also heavy air traffic north and south, not only commercial air traffic but private air traffic. The city has spent a great deal of money attempting to get air control established at the airfield. Thus far it has been unable to secure it.

I ask unanimous consent to have incorporated as a part of my remarks, at this point in the RECORD, an editorial from the Waterloo Courier of January 3, 1954, entitled "Waterloo Airport's Empty Tower."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WATERLOO AIRPORT'S EMPTY TOWER—II

Thirteen days ago the Courier called to the attention of Northeast Iowa citizens who utilize the Waterloo Municipal Airport that unfair political discrimination in the Department of Commerce and in Congress had caused the lack of adequate air traffic control here.

We pointed out at that time that 111 American cities with fewer scheduled airline departures than Waterloo have CAA-operated radio communication facilities and that 25 cities with less such traffic than Waterloo have both control towers and radio facilities.

Furthermore, we pointed out that the city, with the full approval and knowledge of the CAA, had borne half the cost of the $45,000 control tower recently erected on the terminal building. We noted that the CAA had expended approximately $115,000 for omnirange equipment which cannot be fully effective without air traffic control.

Moreover, we pointed out that the Waterloo Airport, by every yardstick used by the CAA, needed and required air traffic control. CAA officials, from top to bottom, have in the past and still today admit the need for these facilities.

But all that, we now discover, was only part of the story. We knew that funds for the much-needed facilities in Waterloo were omitted from the Department of Commerce budget for the 1955 fiscal year. However, we now discover that, despite this omission of Waterloo, the CAA has budgeted $5,000,000 for the establishment of new air navigation facilities. And what are some of the projects for which this money is proposed? Here is the story:

The CAA proposes to re-establish control towers at White Plains, N. Y., Bridgeport, Conn., a second airport at Baltimore, Md., Niagara Falls, N. Y., and Duluth, Minn. All of these except White Plains already have radio communication facilities and none of them has as much scheduled airline traffic as Waterloo. Only the one at White Plains and possibly the one at Baltimore (for which no figures are available) have as much total traffic, counting non-scheduled air movements.

Furthermore, the CAA proposes to establish new control towers at a second airport in Shreveport, La., a second airport in Philadelphia, and at airports in Moline, Ill., and Wilkes-Barre, Pa.—all of which already have radio communications. The second airports in Shreveport and Philadelphia have no scheduled airline traffic. The airports in Moline and Wilkes-Barre have more scheduled airline traffic than Waterloo but of course, already have the radio communications which are an important safety factor.

With the money being budgeted for control towers at airports which already have communication facilities, Waterloo's position as the victim of political discrimination becomes more infuriating. Last year passengers from 170 cties and towns in Northeast

Iowa (coming from 20 counties with a combined population of over a half-million people) embarked for air trips at the Waterloo airport.

By every yardstick of need and fairness, Waterloo is entitled to air traffic control facilities. But Northwest Iowa will get these facilities only if citizens, acting through the State's congressmen and senators, put on enough political pressure to obtain them.

PETROLEUM PRODUCTION IN NEVADA

Mr. MALONE. Mr. President, last week was a very eventful period for my State of Nevada. At that time it became the 29th petroleum-producing State of the Union. A well producing 200 barrels a day was discovered at a depth of 6,835 feet in Nye County in east-central Nevada, approximately 60 miles southwest of Ely, Nev., where one of the largest copper pits in the world is located.

Many wells are being drilled at this time in my State, with every prospect of further success. Reports indicate that it is not only the beginning of the production of this important commodity, but the State of Nevada is already known as a great producer of copper, zinc, lead, manganese, tungsten, mercury, and iron ore, and now uranium and petroleum have been discovered.

The prospects are that the production of both uranium and petroleum will materially increase in the very near future.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of the remarks I have already made, certain newspaper accounts of the petroleum strike in Nevada.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Nevada State Journal, Reno, Nev., of February 19, 1954]

OIL IN NEVADA

Discovered by a responsible company, Nevada's first oil well is now being developed and within a few weeks it will be determined whether or not an oilfield of commercial value has been found in Nye County.

We are all hopeful that the field will be extensive and that more oil wells will be opened in the vast area which geologists have been pointing to for years as a potential source of oil.

There have been many sporadic oil booms in this State. They were inspired by stock promoters in most instances in the past and as the result of the present discovery by the Shell Oil Co. it is reasonable to expect that oil-well promotions will be numerous in the near future. Some will be on the square and others will be conducted by fast operators. It is up to the people who want to gamble to be careful.

In the meantime the Shell Co., the Standard Oil Co., Gulf Petroleum, and other responsible companies will continue exploration work and it will be determined beyond shadow of a doubt whether or not oil in commercial quantities can be produced in Nevada.

[From the Elko (Nev.) Daily Free Press of February 18, 1954]

OIL IS DISCOVERED IN NEVADA

The magic words "we have hit oil" have been heard in the State of Nevada. The official announcement came from S. F. Bowlby, Pacific Coast vice president of the Shell Oil Co. yesterday. He qualified his announcement by saying the well promises to be the first oil production in Nevada.

The encouraging thing of course is that oil has been struck in the State which in the opinion of some geologists was the least likely to produce oil of any State in the Union. It is interesting to note also that oilmen of Utah enthusiastically hailed it as a major discovery. Some oilmen have never lost faith in the discovery of oil in the State.

The discovery is particularly important, too, in face of the fact that numerous other wells are being sunk in other Nevada locations, notably in Elko County and in the vicinity of Elko. We are making an announcement of a new drilling venture at Halleck on the front page of this newspaper today, which is an added indication of the interest being displayed in the State and of the faith being displayed by men who understand the oil business and who are not throwing their money away. These men are convinced that there are good chances of striking oil and their faith has been partially vindicated through the announcement made by the Shell Oil Co. officials.

Oil was on the lips of many people in this city today. Some insist that discoveries have been made in Elko County, which are being kept secret. This may well be, but this newspaper has checked with the officials in charge and they deny that any gas or oil has been struck at the well in the Metropolis district, or in any other of their Nevada operations. We accept this statement in good faith, feeling that the company officials would make an announcement if oil had been struck. There is the possibility of course that such an announcement would be delayed, as it apparently was in the case of the oil discovery near Ely.

In this connection it is interesting to read a comment made in Salt Lake City, which was as follows: "Shell did a good job of keeping its discovery secret while the firm rushed to file on surrounding acreages. Approaches to the wildcat were roped off and visits of oilmen and interested citizens were discouraged.

"Efforts of competing firms to get information from rig hands and testing companies apparently failed. But no one can keep a discovery of oil secret for long."

While it will be wise to approach the discovery in Ely with a note of caution until it is proven that oil is there in sufficient quantity to make it commercially profitable, no amount of caution can be expected to dim the enthusiasm of those who have been sure in their own minds that oil existed in Nevada. Some people take the stand that the discovery of oil in this vicinity will spoil Elko. However, personally, we are willing to take that chance since the discovery of oil any place will be a boon to the economic welfare of the country. There are times in Elko when we could well stand additional business which would be generated from such a discovery, and there is plenty of ground available for the future development of homes in this city.

It seems an assured thing that the discovery of oil in Nevada will lead to further intensified activity in the search for additional wells. It is estimated that as many as 75 holes have been drilled in Nevada since World War I. Now that oil has been discovered the total number of holes to be drilled should be greatly increased.

However, it is wise to hold a check on one's enthusiasm. There has been much speculation in oil in the past and this will continue. Before you invest your money be sure you are going to get value received.

[From the Reno (Nev.) Evening Gazette of February 18, 1954]

EXCITEMENT SPREADS AS FIND CONFIRMED—SHELL OIL'S ANNOUNCEMENT IS HAILED BY RANK AND FILE

Discovery of the first oil in Nevada, confirmed late Wednesday by the Shell Oil Co., spread excitement in great ripples across the State today.

S. F. Bowlby, vice president of Shell's Pacific coast region, confirmed the find in a terse statement issued from his Los Angeles office.

And Gov. Charles H. Russell, in an official statement today, hailed the finding of a commercial oil field in Nye County.

He said the importance of Shell's find had been confirmed to him by the oil company executive.

FIRST PRODUCTION

Bowlby's announcement said the discovery promises to be the first oil production in Nevada. He said the strike was made at the Eagle Springs well in northeastern Nye County. The well is located near Currant, on United States Highway No. 6 about 60 miles southwest of Ely.

The oil company said a 4-hour production test recovered 30 barrels of oil from sands at the 6,453–6,533-foot level. The oil is of 26 gravity, described by geologists of medium or fairly good quality.

Bowlby said the company plans to continue drilling deeper before starting production from the well.

It was the first try made in the State by the Shell Co., although other major concerns have been searching for petroleum in Nevada on a fairly big scale since 1948.

However; the other companies made their tests farther north.

SWEEPING RUMORS

Even before the discovery was confirmed, rumors of the find swept the State and the Federal land and survey office in Reno handled numerous applicants for gas and oil leases on Federal lands.

Following the announcement, the office was swamped for the fifth straight day and A. L. Simpson, land office manager, estimates that one-half million acres of Federal land have been leased in the last 4 days.

Simpson said many of those applying for the leases knew exactly where they wanted them—as close to the Shell discovery as possible.

Simpson added he hasn't had time to study the situation as yet, but he believes there is little land available within several miles of the discovery. Land lying as far as 70 miles away has been leased, he declared.

MANY APPLICANTS

The hundreds of applicants have given addresses in Nevada, Utah, Wyoming, Colorado, California, and numerous other States.

Oil and gas lease applications still were coming in today as fast as the office could handle them. Simpson has been telling the applicants to be patient, however. There are from 65 to 70 million acres of Federal land in Nevada and only about 6 million is under lease.

The Shell Co. began drilling at the discovery site on January 12, 1954, and the hole reached a depth of 5,500 feet in 10 days.

From the beginning, its operation has been what oilmen call a tight hole, meaning that it is top secret and no visitors allowed.

Only last week there were reports in Salt Lake City that Shell was planning to abandon the well. They were denied at that time, however.

The strike came several years too late for the company to claim a $25,000 reward Nevada had offered for the first oil well in the State. This was posted by the State legislature in the 1940's but withdrawn several sessions later.

STATE PROTECTED

If the well proves to be of commercial value, the preliminary work already has been completed for State regulation and protection of its oil resources.

The 1953 legislature approved a bill creating an oil and gas conservation commission and giving it powers to regulate the industry.

Governor Russell made note of this and other developments in an official statement as follows:

"Anticipating the probable discovery of oil in Nevada, I have endeavored during the last 3 years to encourage the prospecting for oil and at the same time set in motion steps that would protect the State of Nevada.

"In 1951, I advocated several measures to assure protection to the State and fully realized at that time that this work was preliminary. At the 1953 session I had prepared, through the cooperation of Dr. Vernon Scheid, director of the Nevada Bureau of Mines, an oil conservation bill which would protect the State and which set forth the procedures and restrictions relative to oil exploration. The legislature enacted the bill into law and since then rules and regulations supplementing the act were formalized and approved this month by the commission which consists of the governor, the State engineer, and the director of the bureau of mines.

"Following the passage of the act by the legislature, I asked for and obtained membership for Nevada in the interstate oil compact commission and Nevada was granted an associate membership until such time as the State becomes an oil producing State.

"The discovery of a commercial oilfield in Nye County by the Shell Oil Co., has proven the foresight and faith I had that oil would be discovered in this State.

"S. F. Bowlby, vice president of Shell's Pacific coast area, confirmed to me the importance of the oil discovery and that company is to be congratulated on its important find.

"The finding of oil in Nevada means that the search in Railroad valley, where the drilling was carried on by the company, as well as in other parts of the State, will be increased and in time, I have no doubt, other commercial fields will be brought in and will greatly add to the growth and economy of the State.

"Nevada has and now will increasingly benefit from leased Federal lands for oil prospecting and with a commercial field brought into production, will eventually derive direct revenue from such production."

The governor said that he believed oil production in the State could be taxed on the same basis as are the net proceeds from Nevada mines. Mining concerns are allowed to charge off exploration and development costs and then pay the regular ad valorem rate on net production value. The collection is administered by the Nevada Tax Commission.

On the basis of preliminary data released by Bowlby, University of Nevada geologists hailed the discovery as of tremendous significance to the State.

"It could mean a bigger boom than Nevada ever had from the fabulous Comstock lode," said Joseph Lintz, Jr., geology professor, who also is secretary of the oil and gas conservation commission.

A similar statement was issued by Prof. Vincent Gianella, veteran university geologist, now retired.

"From the preliminary data, it appears the well could very well prove to be a commercial producer of a good quality of oil," he said.

"The strike is especially significant because Nevada is virgin territory for oil. Development of an oil industry here would far surpass the past great mining booms," Gianella added.

LONG SUSPECTED

Geologists long have suspected the presence in Nevada of commercial oil deposits.

Writing in the Oil and Gas Journal on February 8, 1954, Frank J. Gardner, oil geologist, summarized the situation as follows:

"Evidences of oil and gas in the eastern basin of Nevada have been recorded in numerous cases in the form of surface oil shales, fossils containing small amounts of free oil, gas and oil seeps, and actual showings in wells.

"In eastern Nevada, then, the exploration geologist finds all the essential elements for the production of oil, except, so far, the oil; source rocks, reservoir rocks, evidences of migration, and favorable structures. The one final discovery medium will be, as always, the drill; and if present and indicated future drilling programs continue, Nevada may well be the 29th State to produce oil."

In 1951, R. G. Ten Eyck, a leading oil geologist, concluded a paper on Nevada as follows:

"It appears that all the elements necessary for origin, migration and accumulation of oil are present in Nevada. Considerable time, effort and money will need to be expended however, before an accurate appraisal can be made of oil prospects."

[From the Nevada State Journal, Reno, Nev., of February 18, 1954]

COMPANY CONTINUES FURTHER DRILLING—DISCOVERY LOCATED IN NYE COUNTY, 60 MILES SOUTHWEST OF ELY

ELY, February 17.—Discovery of what may become Nevada's first commercial oil field was announced today by the Shell Oil Co.

A 6,835-foot well, located in Nye County, near Currant, 60 miles southwest of here, produced 30 barrels of gravity 26 oil during a 4-hour-test period.

This would mean a daily production of 180 barrels, which oil experts said, would be definitely commercial if additional drilling in the area confirms the presence of a large oil pool.

The well was pinpointed in the southeast quarter of the northeast quarter of the northwest quarter of section 35, township 9 north, range 57 east, approximately the center of the section.

The discovery was confirmed in Salt Lake City by S. F. Bowlby, vice president of Shell's Pacific coast area.

He said a well, known as the Eagle Springs unit No. 1, had recovered approximately 2,300 feet of oil during a 4-hour drill stem test. This would be the equivalent of 30 barrels of oil.

Bowlby said the discovery was made at depth of between 6,453 feet to 6,535 feet but he did not identify the producing formation.

Bowlby disclosed that Shell planned to drill deeper at the well site in order to study other horizons in the area.

Averill H. Munger, editor of the daily Munger Oil-O-Gram, said in Reno that "this very definitely indicates an oil discovery."

He cautioned, however, that the extent of the find would have to be determined by deepening of the well and by additional drilling of wells in the same general area.

Drilling of the Eagle Springs No. 1 well began January 12 of this year and at last reports it was down to 6,583 feet. It was originally planned as a 6,000-foot test well.

Oil experts said the test results did not necessarily insure that a commercial oil pool had been discovered, although geologists have long insisted formations in the Nye-White Pine County region in which the discovery was made indicated the possibility of commercial oil deposits.

OTHER TEST WELLS

Several other major oil concerns have been drilling test wells in the same general region of northcentral Nevada.

Standard Oil Co. has drilled three wells without announcing the results. The Gulf Oil Co. drilled 1 well in this region but abandoned the project and is now drilling 3 wells in the Wells-Metropolis region, 150 miles to the northwest.

Another oil-drilling project is under way in the Goodsprings area of southern Nevada near Las Vegas.

There have been unconfirmed reports that interesting findings have been made by drillers in the Metropolis-Wells area.

The United States Land Office in Reno has done a booming business during the past 4 years on the strength of the continuing drilling activity and oil leases have been taken out on several million acres of public land in Eureka, Lander, Elko, Nye, White Pine, and Clark Counties.

LAND-OFFICE BUSINESS

A. L. Simpson, manager of the Nevada land and survey office in Reno, estimated 5 million acres has been placed under lease.

He reported his agency has been doing a land-office business since Friday when rumors of the oil discovery near Currant first began to seep out.

"When I arrived at the office this morning there was a line waiting out the door and down the hall," Simpson said. "I hate to go down there tomorrow now that this news is out."

The Nevada Legislature several years ago offered a $25,000 bonus for the first discovery of oil in commercial quantities in the State but the offer was subsequently withdrawn.

Machinery was set in motion by the 1953 legislature to establish an oil conservation and production code anticipating the day when oil was discovered in commercial quantities in the State.

[From the Ely (Nev.) Daily Times of February 18, 1954]

JUST SAMPLES OF WHAT THEY SAY TODAY AROUND ELY ABOUT SHELL'S OIL STRIKE

Reactions on the street today were varied, smiles were on many faces, and, all in all, it was interesting to listen to remarks made by many of Ely's citizens regarding the oil discovery.

Ernest Morley, at the Standard Market, said, "If it's what we hear over national radio stations it should be the biggest thing ever to happen here. Our business has been better this year than last and this should make it better still. It should even do something for the mental attitude of our citizens. It sure looks good."

At Weber & Sundberg's they said, "Quite a bit of enthusiasm, hope they get a field like nobody's business, because it would help the whole State more than anything we know."

One woman, "Bet they cap it and don't use it for 25 years" (the pessimist).

Dale Bell said, "What do I think? I love the storm, its good for the country and I hope we get more of them. Oil? Oh, I think it behooves us to look the situation over and be cool, calm, and collected in order to see how this develops and to take advantage of it as a business opportunity when and if it develops. I think that the business people of this community should continue to conduct their business on the same level of good (business) practices, fair prices (no gouging, etc.) in order to encourage new businesses to stay in Ely."

One man was moaning he had just recently sold his oil stock. One woman on a pessimistic trend said, "It will only bring trash to Ely." Harold Jackson said, "Having lived here all my life, the situation is entirely new to me, but the pressure is here and I'm just waiting for it to blow up."

On the street someone said, "You're not dripping in oil today?"

William Isaacs, at the Family Liquor Store, had this to say, "If it is in productive quantity it will be a good shot in the arm right now. Another industry is always welcome. Wonderful."

Cecil Geraghty, "Most wonderful thing ever to happen to Nevada, especially the eastern part. It will give the people a lift."

Mrs. Beards, at the Lucille Shop, "Let us be cautious. Let us wait and see."

Harry Holman, "It's so new I don't know what to expect but we are so close to the workings that it should do much for Ely and create much competitive building. Even Salt Lake City is enthusiastic."

No statements could be had from Mayor Broadbent or Darwin Lambert, executive secretary of White Pine Chamber of Commerce and Mines, as both are out of town. What a time to be away.

RUSSELL'S REMARKS

Gov. Charles Russell today hailed discovery of oil in commercial quantities in Railroad Valley, 60 miles southwest of Ely, as "wonderful news."

He said he had discussed the find by telephone with S. F. Bowlby, Shell vice president in charge of the Pacific area, and that the latter was very optimistic about the prospects for further development.

Russell said that anticipating the probable discovery of oil in Nevada, "I have endeavored during the past 3 years to encourage the prospecting for oil and at the same time to set in motion steps that would protect the State."

He recalled he had advocated legislation to accomplish this in 1951 and in 1953 prepared a bill creating a State oil and gas conservation commission which was enacted into law by the legislature. Members of the commission include Russell, State Engineer Hugh Shamberger, and Dr. Vernon Scheid, director of the Mackay School of Mines.

Later, he said he obtained an associate membership for Nevada in the interstate oil compact commission until such time as the State becomes an oil-producing State.

"The find of oil in Nevada means that the search for oil in the Railroad Valley and in other areas of the State will be greatly increased and in time I have no doubt but that other commercial fields will be brought in and will greatly add to the growth and economy of the State," he continued.

"Nevada has in the past and will now increasingly benefit from the leased Federal land for oil prospecting and with a commercial field brought into production will eventually derive revenue directly from such production."

[From the Ely (Nev.) Daily Times of February 18, 1954]

SHELL DRILLERS STRIKE OIL NEAR ELY—DISCOVERY MAY LEAD TO NEVADA'S FIRST COMMERCIAL FIELD

ELY, NEV.—The Shell Oil has announced the discovery of what may be Nevada's first commercial oilfield.

A 6,835-foot well located near Currant, 60 miles south of here, produced 30 barrels of gravity 26 oil during a 4-hour test period.

This would mean a daily production of 180 barrels, which oil experts said would be definitely commercial if additional drilling in the area confirms the presence of a large oil pool.

CONFIRMS DISCOVERY

S. F. Bowlby, vice president of Shell's Pacific coast area, confirmed reports of the discovery from Salt Lake City, Utah. He said a well known as the Eagle Springs unit No. 1 had recovered approximately 2,300 feet of oil during a 4-hour drill stem test.

He said Shell planned to drill deeper at the well site in order to study other horizons in in the Nye County area.

Oil experts said the test results did not necessarily insure that a commercial oil pool had been discovered, although geologists have long insisted formations in the Nye-White Pine County region in which the discovery was made indicated the possibility of commercial oil deposits.

TEST WELLS

Several other major oil concerns have been drilling test wells in the same general region of north-central Nevada.

The United States land office in Reno has done a booming business during the past 4 years on the strength of the continuing drilling activity, and oil leases have been taken out on several million acres of public land in Eureka, Lander, Elko, Nye, White Pine, and Clark Counties.

A. L. Simpson, manager of the Nevada Land and Survey office in Reno, estimated 5 million acres has been placed under lease.

OFFICE SWAMPED

A line of waiting applicants for oil leases stretched out the door of Simpson's office and far down the hall when he came to work this morning.

"It's been this way ever since last Friday when rumors of the discovery first began to seep out," he said. "I really hated to come to work this morning, now that the news is out."

Bowlby said the oil discovery was made at a depth of between 6,453 and 6,535 feet but he declined to identify the producing formation.

The Eagle Springs unit No. 1 well was begun January 12 of this year and at last report was down to 6,583 feet. It was originally planned as a 6,000-foot well.

EXACT LOCATION

Exact location of the well is as follows: 1,200 feet from the south line and 2,900 feet from the west line, northeast corner, 35.9 north, 57 east, Mount Diablo meridian.

Averille H. Munger, editor of the Daily Munger Oil-O-Gram, said in Reno that this very definitely indicates an oil discovery.

He cautioned however that the extent of the find would have to be determined by deepening of the well and by additional drilling of wells in the same general area.

STANDARD TESTS

The Standard Oil Co. has drilled three wells in the White Pine County area without announcing the results. The Gulf Oil Co. drilled one well in the same region but abandoned the project and is now drilling three wells in the Wells-Metropolis area of Elko County.

Another oil-drilling project is under way in the Goodsprings area near Las Vegas. In addition, there are several wildcat drilling operations under way in north-central and northeastern Nevada.

There have been unconfirmed reports that interesting findings have been made by drillers working in the Metropolis-Wells area, but officials in charge have made no formal statements.

[From the Nevada State Journal, Reno, Nev., of February 19, 1954]

"OIL" IS MAGIC WORD AROUND NEVADA TODAY—EXCITEMENT RUNS HIGH FOLLOWING STRIKE IN NYE COUNTY

(By Robert Bennyhoff)

One magic word was on every tongue in Nevada yesterday: oil.

Announcement by the Shell Oil Co. that oil in commercial quantities had been discovered in Railroad Valley 60 miles southwest of Ely in eastern Nevada was the topic of the day.

It was even the topic of conversation around the roulette wheels and dice tables which have proved to be Nevada's modern bonanza.

Shell announced 40 barrels of 26 gravity oil—meaning oil of medium or fairly good quality—had been produced during a 4-hour test period from the 6,583-foot well.

Shell struck oil in its first drilling venture in the State. At least a half dozen other wells have been drilled in the same general area by other firms within the past 18 months without success.

S. F. Bowlby, Shell vice president for the Pacific area, told Gov. Charles Russell by telephone he was "very optimistic about the prospects for further development."

Bowlby indicated the existing well would be deepened for further exploration and other wells would be drilled in the area to determine the extent of the oil pool.

GOVERNOR CONFIDENT

Governor Russell hailed the discovery as wonderful news for Nevada, whose past bonanzas have been silver and yellow gold—not black gold.

"I have no doubt but that other commercial fields will be brought in and will greatly add to the growth and economy of the State." Governor Russell said.

Joseph Lintz, secretary of the newly organized State oil and gas conservation commission, declared "I feel very, very optimistic * * * I feel the oil strike will prove to be commercial."

FAR FROM REFINERY

Lintz cautioned however that although drilling is fairly inexpensive in the Railroad Valley area, the big problem would be transportation. The nearest refinery is in Salt Lake City, nearly 200 miles to the northeast. The nearest railhead is at Ely, 60 miles away.

Manager A. L. Simpson of the United States Land Office in Reno reported his agency has been swamped with applicants seeking oil and gas leases for the past 4 days since rumors of the discovery first began to seep out.

Yesterday, after the news became official, his office was swamped with hundreds of applicants.

"We've been very, very busy," Simpson said. He reported most applicants were seeking the maximum lease the law allows, 2,560 acres. This costs $1,280 for 1 year plus a $10 filing fee.

Simpson estimated between 5 million and 6 million acres of public land in the State have been taken under oil and gas lease during the past 4 years. He added he believed very little unleased land was left in the region of Shell's oil strike but he added applicants were seeking land available anywhere in the upper half of the State.

Oil exploration first began in Nevada in 1908 but extensive drilling activity centered mainly in northern and northeastern Nevada has been underway by numerous major oil firms for the past 24 months.

At least a half dozen wells are being drilled in this region at the present time.

All Nevadans were hopeful the oil strike would mean discoveries far exceeding in value the billions taken from the now-closed mines of Virginia City, Tonopah, Goldfield, and the State's other historic mining camps.

[From the Reno (Nev.) Evening Gazette of February 19, 1954]

VETERAN NEVADA PROSPECTORS WOO NEW QUEEN—EXCITEMENT SPREADS AS WORD OF OIL DISCOVERY REVEALED

(By Bryn Armstrong)

Veteran Nevada prospectors, formerly enamored of silver and gold, wooed a new queen today.

The magic word is "oil."

An excitement somewhat akin to that which must have followed the discovery of Virginia City, Tonopah, Goldfield, and the many other camps swept the State.

Shell Oil Co. started it by announcing oil had been found in Railroad Valley, in Nye County, about 60 miles southwest of Ely.

HOLIDAY MOOD

In Ely, the townspeople were in a holiday mood. They swamped the White Pine recorder's office to determine if any land parcels were lying around loose in the western county region. Representatives of major oil companies poured into Ely as word of the discovery had repercussions in the financial centers of Los Angeles, Salt Lake City, and San Francisco.

Men who should know, the geologists and geophysicists of the State, were predicting that if the preliminary signs are right, "there will be standing room only in Ely, Las Vegas, and Reno."

The Shell discovery, in its Eagle Springs well No. 1, hit what may be the jackpot on

its first try in Nevada. This contrasted sharply with the bad luck of other companies which have been prodding the State's massive formations for almost 50 years.

STARTS IN 1904

The search for oil started in Nevada around 1904, in a sporadic sort of way, when some holes were pushed into the Truckee formation west of Reno.

Around 1908 there again was a flurry of activity. This time the search centered around the East Walker River.

Then in the early 1920's, there was further activity around Fallon, Fish Lake Valley, and at Ibapah, east of Ely.

More recently, starting in about 1948, major companies have looked to Nevada for a source of petroleum and at least 8 wells, ranging in depth from 5,000 to more than 11,000 feet have been drilled.

This activity has been centered largely along the eastern reaches of the State, primarily in the area north of the recent Shell find.

Geophysical and leasing work reached a peak in 1952 when 81 crew-weeks of seismograph and gravity meter activity was recorded in the State by major companies. Companies which have held or hold leases in Nevada include Gulf, Shell, Standard of California, Carter Oil Co., Phillips Petroleum, and the Texas Co. In addition many independents have been active in the State.

SEARCH IN CLARK

There is current activity in Clark County by the Intermountain Associates on the Arden dome, and in the Jean area Big Basin Oil Co. also has a hole in the Sloan area.

In Elko County, Gulf has two wells, one in the Bishop's Creek region and another in the Thousand Spring Creek area north of Cobre. Inland Oil Co. has another test under way near Halleck.

Gulf also has a test hole in White Pine County in the Antelope-Ibapah area and there has been activity in recent months in Lander and Eureka.

Amidst all the excitement, there were calm voices to be heard, however.

CAUTIOUS WATCH

Reno business leaders adopted a cautious attitude.

"If it's true, it will be a great thing for the State," was oft-heard qualifying remark.

A veteran Nevada geologist, Dr. Vincent Gianella, who has retired from the University of Nevada faculty, cautioned that even if the Shell discovery proves to have commercial value, it may be some time before production can be started.

The transportation problem is, in itself, enormous, he explained.

Currant lies in the northeast corner of Nye County, miles from the nearest railroad, and the presence of a large pool of oil would have to be established before expensive transportation means, such as a pipeline, would be economically feasible, he said.

From other quarters, there also was the reminder that news of the discovery, and Nevada's warm climate, would attract the sharpshooters and promoters interested in capitalizing on the excitement, to the detriment of the gullible.

An optimistic note sounded from official circles, however. After conversing with Shell Company officials, Gov. Charles H. Russell today mentioned the "discovery of a commercial oil field in Nye County."

PLEASED IN CLARK

Las Vegas businessmen expressed pleasure today over news that oil had been discovered in commercial quantities in Nevada but generally could not forecast an immediate boom in either Las Vegas or Reno, contending that most of the action would be centered in the vicinity of Ely and Tonopah.

General benefit for the State's economy was the first interest of those interviewed.

C. E. Sutherland, banker and former resident of Tonopah, said he didn't look for much action in either Las Vegas or Reno directly attributable to the strike but was optimistic over the prospect of commercial oil production in the State. He said that since the story broke here this morning, he had several potential investors discuss the possibility of acquiring options on lands in the Nye county area.

R. J. (Dick) Ronzone, department store owner and former president of the chamber of commerce, said he "definitely" was optimistic over the prospects of a new major industry in the State. Ronzone, born in Manhattan, to the west of the strike, contended it would be good for the entire State and that he was particularly happy it would benefit his native Nye County to a greater extent than any other taxing unit.

Frank F. Garside, former Las Vegas postmaster and who witnessed several major gold and silver strikes while residing in Tonopah, said he had long been looking toward the development of oil in the State and felt that the Nye report was the real thing.

"I have invested in most of the gold and silver strikes and I know there are a lot more like me who will look over this discovery with a great deal of interest," he said.

HAWAIIAN STATEHOOD

Mr. SMATHERS. Mr. President, during the course of the hearing on Hawaiian statehood there was some implication that the urgency of action on the Hawaiian statehood bill resulted from the fact that the Republican Party was desirous of getting two additional Senators. This was rather emphatically and vigorously denied by Members on the other side of the aisle. However, Mr. President, in Honolulu, on February 8, the junior Senator from Utah [Mr. BENNETT] spoke to a Lincoln Day group there, stating that he predicted another star would be added to the American flag, and that there would be two additional Senators before the present session adjourns. He went on to say:

It will be up to you (the people of Hawaii) to make the two Senators Republican. Heaven knows we need them.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD an item from the Honolulu Advertiser of February 8, 1954, with reference to the remarks of the Senator from Utah.

There being no objection, the news item was ordered to be printed in the RECORD, as follows:

BENNETT IN HILO—SEES STATEHOOD THIS SEASON

Senator WALLACE F. BENNETT, Republican, of Utah, Saturday night said that the die has been cast on statehood and predicted another star to be added to the American flag and two Senators to Congress before the present session adjourns.

Senator BENNETT spoke Saturday night at the $100-a-plate Lincoln Day Republican fund-raising dinner at the Hilo Hotel before 120 guests.

Senator BENNETT'S statement obviously eliminated Alaska from contention in the statehood issue when he added, "and it will be up to you (the people of Hawaii) to make the two Senators Republican. Heaven knows we need them."

The Senator lauded Hawaii frequently as, "these happy islands," and called the Territory "a bastion of liberty" and "a showcase of equality."

He said one of the strongest arguments in favor of statehood for Hawaii is the United States stamp of approval on a people whose main roots are in Asia. "Statehood will rebuff those who claim the United States will not accept Asians in full fellowship," he added.

Senator BENNETT compared Hawaii's fighting men in the Korean war with those who fought at Gettysburg as "giving their last full measure of devotion." He said the fact Hawaii sustained 3½ times the number of casualties in the conflict than the mainland is proof of the islands' devotion to American ideals.

The Utah Senator brought with him a motion picture to show Republicans in which President Eisenhower spoke to all Republicans.

BENNETT was introduced at the dinner by GOP Territorial committee Chairman Sam P. King. Glenn Mitchel, chairman of the Big Island County Commission, was master of ceremonies. Others at the head table included William Quinn, chairman of the Oahu $100-a-plate dinner; Gavien Bush, former county committee chairman; Mrs. Leighton Hind, Senator William H. Hill; Bina Mossman, GOP national committeewoman; County Chairman James Kealoha, and Gregg Hall, Hilo high-school senior, who recited the Gettysburg address.

The invocation was made in Hawaiian by the Reverend Ernest K. Richardson. Ray Kinney featured in the evening's entertainment.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The PRESIDING OFFICER. Morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

APPLICATION OF ANTITRUST LAWS TO CERTAIN PROFESSIONAL BASEBALL CLUBS

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to introduce for appropriate reference a joint resolution to make the antitrust laws applicable to professional baseball clubs affiliated with the alcoholic beverage industry.

The VICE PRESIDENT. Is there objection to the request of the Senator from Colorado?

There being no objection, the joint resolution (S. J. Res. 133) to make the antitrust laws applicable to professional baseball clubs affiliated with the alcoholic beverage industry, introduced by Mr. JOHNSON of Colorado, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. JOHNSON of Colorado. Mr. President, to me and millions of other Americans there is no business like baseball business. Due to the skill, strategy and surprise element always present, it is America's great national game. It belongs to the people and it symbolizes everything that is clean and wholesome. It has become a part of our national character and culture. The Supreme Court of the United States last November reaffirmed baseball's long established

dispensation from the antitrust laws of the Nation. There it will likely remain so long as it preserves all of its traditional aspects of physical prowess, competitive excellence, recreational enjoyment, and good conduct. Now the only problem is to keep it worthy of national respect and confidence. Professional baseball has created the all powerful office of commissioner whose primary duty it is, acting in the public interest, to keep it true to these high concepts.

Baseball did not evolve to this lofty station by accident. It reached it due to the absolute necessity for a beloved national athletic sport to become an American institution. Men foresaw the void which it would fill and the influence which it would exert on the development of the youth of the coming generations. As a result the Little League will field 3,000 clubs, the American Legion League 16,000 clubs, and the Nation's sandlots and high schools and colleges thousands and thousands of baseball clubs throughout the Nation this spring and summer. The members of the Supreme Court, the President's Cabinet, both Houses of Congress, and hundreds of Government officials, lay aside their great tasks and responsibilities each spring and go to Griffith Stadium to watch the President of the United States throw out the first baseball of the season. This is a traditional ceremony of long standing, colorful and meaningful. Only the exalted deserve such a tribute.

I noticed in the press last Sunday a pathetic story about two little children, Michael Rosenberg, aged 11, and his brother Robert, aged 6, who were being exploited to raise money for the Communist cause in the State of New York.

New York State Supreme Court Justice James B. M. McNally held a hearing to consider what to do with these children. Their grandmother, who was innocent of any crime, and who, from all appearances, is a very fine person and a good woman, had sought custody of the children. Judge McNally interviewed her, and this is the conversation which took place, as recorded by the Associated Press and as published in the Washington Sunday Star of February 21, 1954:

Justice McNally asked the grandmother if she ever would teach them to "hate this country."

"No, no, no," she said emphatically. She said she would teach them to love the United States.

"Never let anyone talk to them in derogation about this country," said Justice McNally.

Mrs. Rosenberg said she lived alone in a steam-heated 4-room apartment in New York and that she was able to take care of the children. She said she had retained a homemaker to help.

The children listened intently during the proceedings.

When Justice McNally announced his decision, Michael walked up, shook hands with him, and said:

"God bless you, Judge."

Then they talked for a while about baseball.

Mr. President, "Then they talked for a while about baseball." Does not that prove what I have just been saying, that baseball is the great national game, when little boys and a great judge talk across a table to one another in a language which both of them understand, and which means so much?

Today baseball, with all of its magnificent background and tradition, is threatened. Its basic structure, which is the major and minor leagues, is being undermined. Its purposes and objectives are being twisted, prostituted, and exploited by unscrupulous and unworthy interests.

In an all-out effort to stem this base and degrading tide before it engulfs all baseball, I am introducing a Senate joint resolution which, when enacted, might awaken the Commissioner to his responsibilities and cause him to restore the good reputation and good standing of professional baseball in America. Specifically, this resolution would make professional baseball clubs when affiliated in part or in whole with the alcoholic beverage industry subject to the Nation's antitrust laws. It will apply to the Nation generally.

Mr. President, I ask unanimous consent that my joint resolution be printed at this point in my remarks.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Whereas baseball is America's national game, and has exemplified through the years the finest traditions of the combination of vigorous competition, athletic skill, and keen strategy; and

Whereas baseball belongs to all the people of the United States, particularly the young people to whom it offers inspiration, teaches good sportsmanship, and boasts an outstanding record of honesty and integrity; and

Whereas the recent Supreme Court decision in the baseball case decided in November 1953 placed baseball in a unique position with respect to the antitrust laws; and

Whereas certain members of the alcoholic beverage industry have acquired and are acquiring ownership or control of professional baseball clubs competing in organized baseball; and

Whereas it appears that they are using professional baseball clubs as affiliates or subsidiaries to their main business of brewing and selling beer; and

Whereas this unholy alliance engulfing our great game of baseball is having an unhealthy influence upon the youngsters of America who follow baseball with the closest interest and who emulate its heroes with youthful enthusiasm; and

Whereas the possession by firms engaged in the alcoholic beverage industry of equities in professional baseball clubs results in the exploitation of baseball exhibitions as sales vehicles for the promotion of the monopolization of the brewing business; and

Whereas in the period from 1937 to 1953 the number of companies engaged in the brewing of beer declined from 700 to 300, although the national consumption of beer doubled, and the number of breweries continues to decline; and

Whereas only 25 brewing companies now account for the major portion of all beer sales in the United States, and are progressively gaining a strangle hold on the industry; and

Whereas the concentration of the beer business in the hands of a few large breweries and the destruction of the small local breweries are accelerated by the operation of professional baseball franchises as an adjunct of such monopolies; and

Whereas professional baseball itself becomes a business instrumentality when it is employed as an adjunct to or as an affiliate of a business such as the alcoholic beverage business, for the purpose of expanding that business, promoting its sales, or increasing its profits; and

Whereas Ford Frick, commissioner of baseball, whose function it is to protect the great public interest in professional baseball, recently stated, "I believe that all men in baseball, players and operators alike, must give more thought to their public responsibility and less to their selfish interest"; and

Whereas Commissioner Ford Frick, when speaking of the Supreme Court decision of November 9, 1953, said the decision "does not mean that baseball is granted a license to do as it pleases"; and

Whereas George Trautman, president of the National Association of Professional Baseball Clubs, stated that everyone in baseball has the responsibility to guard the game, its spirit, its mighty contribution to succeeding generations of our youngsters as clean recreation, as a teacher of fair play, and as an example of fair, yet earnest competition; and

Whereas the public interest demands that baseball, because of its unique role in the American way of life, be fully protected from any exploitation for selfish business purposes; and

Whereas the Supreme Court on November 9, 1953, in *Toolson* v. *Yankees* held that if there are evils in this field [professional baseball] which now warrant application to it of the antitrust laws it should be by legislation: Now, therefore, be it

Resolved, etc., That any professional baseball club engaged in competition in organized baseball which is owned directly or indirectly, in whole or in part, by any individual or organization engaged in the production or sale of any public alcoholic beverage is hereby declared to be subject to the antitrust laws, as such laws are defined by section 1 of the Clayton Act (15 U. S. C. 12).

Mr. JOHNSON of Colorado. Mr. President, so that there may be no misunderstanding, while this resolution will apply to the country generally, it is aimed specifically at the beer-baseball combination in St. Louis, where Mr. August A. Busch, president, member of the executive council, and director of Anheuser Busch, Inc., has been permitted to gain control of the St. Louis Cardinal Baseball Club. He is using the St. Louis Cardinals to promote the monopoly of Anheuser-Busch over his competitors in the brewing industry, and at the same time he is ruthlessly and deliberately annihilating minor-league baseball in a large area of the Midwest. But in this crusade he does not give away beer. He gives away baseball and he takes a nice fat tax deduction in doing it. With Uncle Sam picking up the tab, it is nice going for a beer peddler.

The St. Louis Cardinals through the years have been one of the strongest pillars of organized baseball. The contribution of the St. Louis Cardinals to American professional baseball has placed it, and the good city of St. Louis, high on the pedestal of the sporting world. Through exemplary sportsmanship, determined spirit, and baseball skill, the Cardinals developed and welded together and fielded year after year the most competitive club in baseball. Who will ever forget the fighting spirit and never-say-die crusade of the beloved Gas House Gang?

This universal acclaim, prestige, and respect for a great city and a great ball

club has suffered a devastating blow under the last two Cardinal owners because with both of them baseball apparently did not come first. The first of these two is gone; the second remains with us still.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. SMATHERS. As I understand the joint resolution introduced by the Senator from Colorado, it is directed at ownership; it is not directed at any beer concern which might procure the advertising rights of the Washington Senators or some other baseball team?

Mr. JOHNSON of Colorado. The Senator is correct. My joint resolution is aimed at a situation in which a beer concern purchases a baseball club and then practices monopoly with monopoly free baseball. That is what it is aimed at.

Mr. SMATHERS. Then, the purpose of the Senator's joint resolution would not apply, for example, to a beer concern in Baltimore or Washington, or in some surrounding area, which desired, as an advertising medium, to televise baseball games of the Washington Senators?

Mr. JOHNSON of Colorado. That is correct. The resolution would not in any way affect or concern such an operation; it would apply only where there is ownership in part or in whole by the alcoholic beverage industry. The resolution merely provides that if there is an ownership of a baseball club in part or in whole by the alcoholic beverage industry, such baseball club shall not be immune from the antitrust laws. The Senator is correct in his understanding.

The initial move of the St. Louis Cardinal beer-baron owner was to endeavor, without shame, to change the name of Sportsman Park to Budweiser Stadium. Judge Landis must have turned over in his grave when this proposal was made. Fortunately, according to the New York Times, an outraged public and an alert Ford Frick vetoed the idea.

But this was merely a temporary rebuff to the resourceful and hell-bent-for-minor league destruction Mr. Busch. This spring he is launching a wholesale invasion of minor league baseball territory in the Midwest. With total disregard for the welfare of these local clubs or the local breweries which serve their communities, Mr. Busch is broadcasting Cardinal ball games and Budweiser beer on an Anheuser-Busch network of 120 stations.

In civic, philanthropic, and social circles in St. Louis, Mr. Busch is favorably known and highly regarded; but to baseball he is a source of embarrassment, anguish, and frustration. Obviously, baseball to him is merely an opportunity to sell more beer, and is not important as a sport. A true sportsman never deviates from the unwritten law of "live and let live." A dyed-in-the-wool baseball devotee would not move into the field of minor league clubs and slaughter them like "sitting ducks on a pond" merely to sell a few more bottles of beer. Good sports do not build on the ashes of others. Baseball to August A. Busch is a cold-blooded, beer-peddling business, and not the great American game which good sportsmen revere. The Congress should treat his baseball enterprise in that light and deny him immunity from the antitrust laws. That is precisely what my Senate joint resolution would do.

The true meaning of my contention, when reduced to cases, is dramatically illustrated in the letter written to me by Mr. Harold Totten, president of the Three-I League. The Three-I League have provided excellent baseball entertainment for cities in Indiana, Illinois, and Iowa for more than half a century. Now Mr. Busch brutally and without conscience is destroying it.

Mr. President, I ask unanimous consent to have printed in the RECORD, at this point in my remarks, a copy of the letter, dated February 10, 1954, written to me by Mr. Harold Totten.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CEDAR RAPIDS, IOWA, *February 10, 1954.*

Hon. EDWIN C. JOHNSON,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: With the minor leagues' radio and TV problem still so very much in the air, and in view of the story in this morning's newspapers, out of New Orleans, about the protest to the Cardinals regarding their 1954 broadcasting program in our cities, I am going to set down here, for your information and for whatever use you can put it to, the situation as it stacks up in the Three-I League for the coming season. I believe it provides some striking new fuel for our cause.

The outlawing of the old rule 1(d) on a basis of monopoly is held before us at every turn. Yet the Cardinals, as a result of their broadening of their broadcasting network, actually have so monopolized the broadcasting facilities in Three-I League cities that at least four of our clubs probably will be unable to air their own games. That, most certainly, is monopoly.

What concerns me is that the committee in New Orleans, according to the announcement quoted in the newspapers, didn't refer to this new and vicious development at all, but merely repeated the old complaints that have been voiced ever since rule 1 (d) was abolished—complaints that have brought no appreciable relief so far, in all these years.

At the present writing, Cardinal games will be broadcast in 6 of our 8 cities in direct competition with our own games. One station manager had the courage to hold out and will do the Cardinal games only when the local club isn't playing at home or on the road. Waterloo is out of Cardinal territory.

But this isn't new. It's been going on for years, and even though we know it hurts us, so far there's been nothing we could do about it.

However, something new has been added. In Burlington, which has only one radio station, the Cardinals have taken it over for their games. This station carried the Burlington home and road games last year. This year it will be unable to broadcast its games because its only radio outlet has been taken from it.

In Quincy, where both an AM and an FM station have been available in the past for the local club, the Cardinals have bought both stations, and now Quincy is without broadcasting facilities in its own city.

In Terre Haute, which had one FM station available previously, the Cardinals have taken this and Terre Haute cannot broadcast its games.

In Peoria, which this year is a Cardinal affiliate, the Cardinals themselves have bought, for $26,000, the station which carried the Peoria games last year. There is one smaller and less desirable station that may be able to carry the games there, but so far the club has made no progress at reaching an agreement.

That means that four of our clubs—three of them certainly—will be deprived of their radio outlets through this Cardinal monopoly of facilities in our cities.

In Evansville the Cardinals offered the station $26,000 for the rights, but the manager reluctantly but gamely turned it down. Their long-time baseball sponsor is a local beer which also carries other features on the station, and the manager thought it wise to preserve that good will.

The manager of the only station at Keokuk, knowing the interest of local people in the local team (this town of 16,000 people drew 76,000 paid last year), refused the Cardinals' lucrative offer for exclusive rights and readily obtained an agreement by which he carries Cardinal games when the local club is not playing. Which shows that something can be done if the right person will have the courage to stand on reason.

It's easy to find fault. But to do that we should have a remedy to suggest. We in the Three I League feel that we have that. The Cardinal network is maintained to sell Budweiser beer and further Cardinal attendance. This they must do by creating and maintaining friendly good will. Already there are complaints. A couple of ministers have been quoted to me as saying that the Cardinals are "taking our baseball away from our kids and feeding them beer."

How much simpler and more effective it would have been if the Cardinals—and Budweiser—had gone to each Three I city; agreed to pay each club a decent fee for radio rights; bought the broadcast of the local home and road games on the local station for a decent fee, too; and then had the arrangement to broadcast Cardinal games before and after our season and whenever the local team was not playing. Mutual promotional announcements for the local club, and for the Cardinals and Budweiser, would have reacted to the benefit of all. And in many cases the fee for radio rights could prove the difference between black and red ink for the local club. And how it would create good will for Budweiser and the Cardinals. How short-sighted can some people be?

That's about it, Senator. We, as a league, sent protest wires to Mr. Busch, Mr. Meyers, George Trautman, and Commissioner Frick at the time of the New York meeting. We have received no reaction as yet. I pass this along to you, as I said, for your information, and for your use if it can do any good for the cause. Meantime, if there is anything at all that I personally, or the league as a unit, can do to help in solving this problem, please do not hesitate to send out a call. I'll come a-runnin' to do anything I can.

My sincere best wishes.

Very sincerely,

HAL TOTTEN,
President, the Three I League.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a letter written to Mr. Busch by Mr. Robert Howsam, president of the Denver Baseball Club of the Western Baseball League, dated February 1, 1954, and a letter written to Mr. Busch by Mr. W. C. MacPhail, general manager of the Colorado Springs Baseball Club, in the same league, dated February 12, 1954, which letters protest the high-handed Anheuser-Busch policy of annihilation, and present unanswerable arguments against Mr. Busch's policies in the Western League.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE DENVER BEARS,
Denver, Colo., February 1, 1954.

Hon. AUGUST A. BUSCH, Jr.,
President, St. Louis Cardinals,
St. Louis, Mo.

DEAR MR. BUSCH: The clubs in the Western League are dismayed and upset over the press announcement that the Anheuser-Busch Corp. plans to broadcast Cardinal games in Omaha and in the other unfortunate minor league cities which are Cardinal affiliates. When your Mr. Walsingham made the shocking announcement of this new and very obnoxious policy, he added insult to injury in saying:

"I believe the Cardinals are serving all baseball in making this test" and if the experiment "is adverse it will hurt only the Cardinals."

Baseball is not a solo game. No club can put on an exhibition of baseball all by itself. It must have an opposing club. In fact it cannot have a season of scheduled baseball without league supervision, league competition and a league pennant race. Accordingly, you cannot hurt the Omaha Cardinals without at the same time injuring seven other baseball clubs and the league to which all of them belong.

The slogan of the Western League ever has been "One for all, and all for one." Whenever one of our clubs has been in trouble the other clubs have rallied to its cause. We split our gate 40–60 too, which is very helpful to clubs not drawing well for one reason or another.

Under your plan Omaha will be a "free loader" all around the circuit, but when the visiting clubs play in Omaha they won't make expenses. And Walsingham has the effrontery to call that kind of reciprocity "serving all baseball."

Traditionally, Omaha has been known far and wide as a great sports town, and especially a fine baseball town. It has one of the finest public-built baseball parks in the country. When you personally took over the helm at St. Louis, the Western League had high hopes for better things. What better public relations could Anheuser-Busch have than the revival of baseball in Omaha and the gratitude of the whole Western League area? Instead, you plan to exploit Omaha with St. Louis baseball without any regard for the Western League. Evidently you think Omaha has no civic pride and is merely a fine market place for the Anheuser-Busch product. The Western League territory cannot do other than resent your arrogant and selfish policy of destruction.

Omaha is a grand opportunity for Anheuser-Busch to prove to the skeptical enthusiastic fans of this country that your primary objective is to promote baseball. Please abandon your policy of killing the goose that lays the golden egg, and demonstrate that the sale of beer is secondary, and that Anheuser-Busch is worthy of the confidence and the support of the sporting fans of these United States.

Sincerely,

ROBERT L. HOWSAM,
President, the Denver Bears.

FEBRUARY 12, 1954.

Mr. AUGUST A. BUSCH, Jr.,
President, St. Louis Cardinals,
St. Louis, Mo.

DEAR MR. BUSCH: The Colorado Springs baseball club, a member of the Western League, expresses to you at this time our deep regret that you have seen fit to pursue the announced broadcast policy in Omaha.

It appears that the minor leagues are grasping for the rope of survival already, without this increased burden which you have placed on three of the higher classification leagues. Your policy can accomplish no good, other than possible increased sales of Budweiser beer and the creation of interest in the St. Louis Cardinals in the Omaha area. To me, it cannot appear anything but selfish, and I sincerely feel that it is a severe blow to your own public relations in the various affected league cities. Our club is a community operated club, and there are many stockholders and supporters of our club who naturally are antagonistic toward your product as a result of this announced policy. I cannot fathom that you have not considered this point.

As you may know, our gate split in the Western League gives 40 percent to the visiting club. Our cut in Omaha, as the opposing club of the Cardinals, is bound to be less, and it is obvious that the Omaha Club will not be greeted in the other cities with any particular promotional attractions. And further, you are striking a severe blow to the harmony and solidity of the Western League.

We most humbly beseech you to reconsider this action, and realize that in doing so the St. Louis Cardinals and the Anheuser-Busch products would gain the respect and support of so many in the sporting world.

Sincerely yours,

W. C. MACPHAIL,
General Manager.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to have printed in the RECORD, at this point in my remarks, a copy of a letter which I wrote to Mr. Busch, dated February 9, 1954, to which I have not had a reply or even the courtesy of an acknowledgement.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 9, 1954.

Hon. AUGUST A. BUSCH, Jr.,
Cardinal Baseball Club,
St. Louis, Mo.

DEAR MR. BUSCH: Why are you picking on the Western League? First it is Omaha, and now it is Wichita. Last year the Wichita Club received $6,000 from the radio station broadcasting their games in Wichita. This year the contract was canceled because the St. Louis Cardinals had arranged for that time to broadcast St. Louis Cardinal games.

Six thousand dollars may seem like peanuts to some, but it is the difference between local baseball or no local baseball in Wichita.

I cannot believe that your objective is to kill the Western League, but whether it is or not that is exactly what you are doing. Your Omaha broadcasts will be heard in Lincoln and Sioux City and will affect them seriously, and now Wichita goes down the drain. Because of the St. Louis invasion of the Western League, it is my considered judgment that the Western League may not operate in 1955. The consternation due to your policies is great and the situation is grave.

I plead with you, therefore, to cancel your broadcast plans in the Western League cities of Omaha and Wichita. We are begging you to not destroy the best class A league in the Nation.

Most sincerely,

ED. C. JOHNSON,
President and Treasurer, Western Baseball League.

Mr. JOHNSON of Colorado. Mr. President, it should be pointed out that there is a fast-growing monopolistic situation developing in America to concentrate in the hands of a few concerns the bulk of the brewing business. Baseball, radio, and television are innocent parties to that unhappy situation. In 1937 there were 720 breweries in the United States; in 1953 there were 312 with the number rapidly declining while the consumption of beer in this same period almost doubled. At the present rate of demise, 14 giant breweries will replace very shortly the 720 local breweries of 1937. To think there is no dangerous cannibalistic monopoly in this field is utterly fantastic and yet we give the beer-operated baseball franchises immunity from the antitrust laws.

To illustrate the plight of the small brewer who is being driven out of the brewing business by the giants, I am inserting two letters: one from the Hampden Brewing Co., Willimansett, Mass.; the other is from the Hull Brewing Co. of New Haven, Conn. These letters speak eloquently for themselves.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks the letters to which I have just referred, and a per curiam decision of the Supreme Court of the United States in the celebrated baseball case; and also a St. Louis Associated Press story, dated February 20, 1954, which has just come to my attention.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

HAMPDEN BREWING CO.,
Willimansett, Mass., April 1, 1953.

Hon. EDWIN C. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: May I take this opportunity to convey my congratulations to you upon your recent speech denouncing certain breweries in their plot to capture baseball franchises and force their domination over America's small breweries by the tremendous advertising associated with baseball itself. I am in complete accord with your statement that there is a terrific death struggle going on in this country today between the large and small breweries. For more concrete proof of this tragedy, I shall attempt to familiarize you with conditions here in Massachusetts.

The casualty list of Massachusetts is appalling, as latest records show that five breweries have become extinct in less than a decade. The future of the remaining eight is quite dubious and it is my firm conviction that excessive taxes, both Federal and State, are directly responsible for this situation. The liquidation of these breweries has affected the stability of three groups; namely, Uncle Sam, Massachusetts (through the loss of taxes), and the security of the personnel employed by the defunct breweries. Senator, is this a healthy situation to have existing in any State?

On a national scale, the situation is extremely grave. Prior to 1920, there were 1,800 breweries operating in the United States against approximately 300 at present. The startling fact of the matter is that of the 300 operating breweries, the bulk of the business is controlled by 25 giant breweries. Another important fact—of the 300 breweries now functioning, less than 100 plants are realizing adequate profits to remain solvent. It is obvious that this situation cannot continue indefinitely and, in my belief, the only channel of salvation available for these "crippled" breweries is to seek Federal and State aid in the way of a fair and equitable tax schedule.

In an effort to save the brewing industry in Massachusetts, the Hampden Brewing Co. recommended a measure to our State legislature which, in effect, would propose

a change in the basic method of the taxation of malt beverages. The present method of taxing malt beverages on a gallonage basis, irrespective of sales value, is "unit" taxation. In other words, it makes no difference whether you pay $2 or $5 a case, the tax you pay is the same. Our bill, hereinafter known as House bill 1257, proposes a "percentage" tax. The rate of tax to apply on the wholesalers' and brewers' prices to retailers, as posted with the Massachusetts Alcoholic Beverages Control Commission. We believe that House bill 1257 has many advantages, including:

1. Corrects a tax injustice to the people of limited means.

2. Does not reduce the State's income from the taxation of malt beverages because the percentage rate, if based correspondingly to the present tax of $2 per barrel, would give added revenue on brands selling at a premium price. Sales figures show that the consumer in Massachusetts, as well as throughout the United States, purchases more beer at a premium price.

3. Is of definite help to the Massachusetts brewing industry.

The "unit" base soaks the poor purse and favors the rich. The proposed percentage rate will not reduce the State's tax yield and, if anything, would show a moderate increase which might protect Massachusetts' return in case of decreased consumption. From a "home industry" standpoint, the percentage tax helps the Massachusetts brewing industry because local beers sell at lower prices.

In closing Senator, may I further state that House bill 1257 benefits the consumer, the Commonwealth of Massachusetts and the industry. We respectfully solicit your opinion, and wish you continued success in your endeavors to save the family of America's small breweries of which we are a member.

Respectfully yours,

KARL H. BISSELL,
President, Hampden Brewing Co.

THE HULL BREWING CO.,
New Haven, Conn., April 10, 1953.

HON. EDWIN C. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: The Hull Brewing Co. wishes to thank you sincerely for your speech before the Senate in which you pointed out the serious situation confronting the small brewer. We are painfully aware that the large breweries are rapidly squeezing us out of existence. We are in full accord with your remarks that the gigantic breweries are buying into baseball due to baseball's tremendous advertising value to beer. These advertising weapons in the hands of big breweries load the dice against the small brewer. At present, 14 giant breweries sell over 50 percent of the beer consumed in the United States.

If I may indulge on your time, I would like to recite what has happened in Connecticut since repeal. In 1934, we had 14 operating breweries in Connecticut. For the past 5 years, only 2 of us have been operating, a mortality of 12 in 19 years.

During the Second World War, the Hull Brewing Co. supplied beer in Connecticut to the many defense war workers. The out-of-State breweries withdrew completely from Connecticut or just delivered token orders.

In 1952, there were 1,383,515 barrels of beer sold in Connecticut. The Hull Brewing Co. sold 89,000 barrels of this or 6½ percent of the total. This situation is definitely brought about through mass advertising and monopolistic controls.

The Hull Brewing Co., established in 1872, has conducted a successful business for over 80 years. Now however, we have nearly reached the end of our rope. We would appreciate any help or suggestions you might be kind enough to offer us.

In closing, may we again thank you for the interest you have shown to the small-business man and particularly to the small brewer.

Sincerely yours,

THE HULL BREWING CO.,
GEORGE J. JACOB, *Secretary.*

NOVEMBER 9, 1953.

Per Curiam:

In *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball Clubs* (259 U. S. 200 (1922)) this Court held that the business of providing public baseball games for profit between clubs of professional baseball players was not within the scope of the Federal antitrust laws. Congress has had the ruling under consideration but has not seen fit to bring such business under these laws by legislation having prospective effect. The business has thus been left for 30 years to develop, on the understanding that it was not subject to existing antitrust legislation. The present cases ask us to overrule the prior decision and, with retrospective effect, hold the legislation applicable. We think that if there are evils in this field which now warrant application to it of the antitrust laws it should be by legislation. Without reexamination of the underlying issues, the judgments below are affirmed on the authority of *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball Clubs, supra,* so far as that decision determines that Congress had no intention of including the business of baseball within the scope of the Federal antitrust laws.

[From the Washington Post of February 21, 1954]

CARDINALS DROP BROADCAST PLANS TO MINOR-LEAGUE AREA

ST. LOUIS, February 20.—The St. Louis Cardinals today quietly canceled their plan to beam radio broadcasts of their games into minor-league cities.

The radio plan, arranged for the 1954 season, was announced by the club last month as an experiment to determine the effect of major-league broadcasts on minor-league attendance—long a controversy in baseball.

What the Cardinals hoped would help promote minor-league baseball, however, drew a quick blast from George Trautman, commissioner of minor-league baseball.

At the time of the Cardinals' announcement Trautman said: "There can only be room for one professional ball club in a community. If radio or television divide and steal the loyalties and interests, the team that represents the community will certainly suffer."

In reply the Cardinals said they thought they were serving all baseball by making the test.

Today, however, the Cardinals issued a short statement by President August A. Busch, which said previously planned broadcasts of Cardinal games in Omaha; Houston; Columbus, Ohio; Wichita; Indianapolis; Burlington, Iowa; Mount Vernon, Ill.; Paris, Ill.; and Muskogee, Okla., have been canceled.

No comment was made.

Mr. JOHNSON of Colorado. Mr. President, we are witnessing in the beer industry the very monopolistic development which the antitrust laws were designed to prevent. Their broad purpose is to end restraints of trade and commerce. These good laws were created when Congress found it necessary to protect the people against the oppression of high and mighty concerns who would control industry and commerce for their own selfish benefit. In a free enterprise system any concerted action by combinations of men or corporations to create a monopoly is an evil, and should not be protected.

While the Supreme Court held, in the recent baseball decision which I will insert, that professional baseball is not within the scope of the Federal antitrust laws, it was quick to point out "that if there are evils in this field"—professional baseball—"which now warrant application to it of the antitrust laws, it should be by legislation." Therefore, when I call attention to an evil which has developed and prepare legislation to correct it, I am following the mandate of the Supreme Court.

It cannot be denied that the major league baseball club in St. Louis is being used as an accessory in a monopolistic squeeze. The great national game is being used there by a very personable and able huckster to sell beer to the detriment of competing local breweries and the destruction of local baseball clubs.

If my contention is valid, then the Congress should accept the mandate of the Supreme Court and enact my House-Senate joint resolution to stop a monopolistic evil when we discover one.

In this evil business at St. Louis some of the clubs of the National League are not without guilt. Under National League rules, before a club can broadcast or telecast its baseball exhibition, it must have the consent of the other participating club. At least four National League clubs have given their consent to spray, without limits of any kind, minor league cities with Cardinal baseball and Budweiser beer. This vicious conspiracy entered into by certain National League clubs to destroy minor league clubs is all the more shocking since some of them have been making sanctimonious utterances against such a policy.

The commissioner of professional baseball says he is powerless to do anything about such things. I do not swallow that nauseating alibi at face value. The commissioner is supposed to move in when policies detrimental to baseball are practiced. I am sure he does not want the Supreme Court and the Congress to believe that neither the law nor baseball itself shall lay a restraining hand on a major league club when it gets out of line. Personally, I do not think the commissioner measured up to his high responsibilities when he permitted the Anheuser-Busch Co. to purchase the St. Louis Cardinals. He did intervene when Mr. Busch attempted to rechristen Sportsman Ball Park—"Budweiser Stadium." Just why he was so finicky about calling this park by its rightful name is beyond me, since he has expressed no righteous indignation about having the beer industry make a cat's-paw out of the St. Louis baseball club.

It should have surprised no one in baseball when Representative CELLER in the present session of Congress introduced H. R. 7949 which would restore professional baseball to the jurisdiction of the antitrust laws. If the major leagues want, in the sight of the law, to continue as a sport, they should live like a sport, and not take advantage of the courts and the Congress to pretend to be

a sport, while practicing the most obnoxious and savage brand of monopoly ever known in these United States. Either they must change their ways or be returned to the jurisdiction of the antitrust laws. The choice is up to the commissioner of baseball right now.

Phil Piton, the very able and popular "big wheel" in the National Association at Columbus, Ohio, who is running its affairs while President George Trautman is on vacation, told me that the association has objected vigorously to the Cardinal operation, but that there was little reason to hope that Mr. Busch would alter his policies. I do not like this defeatist attitude by the National Association. This is a life-or-death struggle, and the minor leagues and their association must recognize it as such and make an all-out effort to correct it.

I do not enjoy being compelled to propose that restraining laws be imposed on professional baseball. I love this sport too much for that. Nevertheless, a great wrong is being inflicted on minor league baseball by the major leagues. They could cure this difficulty if they would; but since they sidestep their responsibilities, their failure to correct these evils cannot be overlooked. Congress, the guardian of the people's rights and welfare, must remain diligent in protecting our economy against every monopolistic tyrant. That makes necessary the enactment of the Senate joint resolution which I have just introduced. Early and favorable action on it might obviate the necessity for enacting the more comprehensive Celler bill, H. R. 7949.

The Associated Press carried a story Sunday with a St. Louis dateline of February 20 which said the Cardinals were dropping their previously planned broadcasts of Cardinal games in Omaha; Houston; Columbus, Ohio; Wichita; Indianapolis; Burlington, Iowa; Mount Vernon, Ill.; Paris, Ill., and Muskogee, Okla. That 11th-hour concession is greatly appreciated. It will be of life-saving assistance to some hard-hit minor league areas during the 1954 season, but the enactment of my Senate joint resolution is vital for the good name of baseball.

NOMINATION OF CHIEF JUSTICE WARREN

Mr. HENDRICKSON. Mr. President, in view of the fact that the nomination of our distinguished Chief Justice will be before the full Judiciary Committee this week, and in view of the further fact that last week the nomination was reported favorably by the subcommittee to the full committee, I now send to the desk a communication I addressed on February 17 to the distinguished chairman, the Senator from North Dakota [Mr. LANGER]. I ask that the latter be inserted at this point in the body of the RECORD, as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 17, 1954.

Hon. WILLIAM LANGER,
Chairman, Committee on the Judiciary, United States Senate,
Washington, D. C.

MY DEAR MR. CHAIRMAN: As you know, I have joined with you and my other able colleagues of the subcommittee in the several days of consideration of Chief Justice Warren's appointment.

We have heard from various witnesses, none of whom, in my opinion, has presented particularly impressive arguments in opposition to the Chief Justice's confirmation. There has been discussion of the Chief Justice's political and social beliefs and a few of the decisions he made while Governor of California.

I can see just cause for careful study of certain of the charges which have been made.

But there is a limit, Mr. Chairman, to which our subcommittee should challenge the good judgment of the American people. So much of the testimony which we of the subcommittee have heard has been warmed-over personal opinion which in no way reflects upon the judicial wisdom or the integrity of Justice Warren that it may be beginning to create doubts about the new Justice, which, in my judgment, do not actually exist.

I am the first to agree that the Chief Justice of the Supreme Court should be above reproach or suspicion. The testimony does nothing to reflect otherwise, and I think it is high time to give Governor Warren the right to wear his robes during good behavior, as provided in the Constitution.

I am forcibly reminded that I favored Chief Justice Arthur T. Vanderbilt of the New Jersey Supreme Court for the vacancy to the United States Supreme Court. This preference was made known publicly to the White House.

But this preference is unimportant, inasmuch as there is nothing in the record to date which seems to me to call for very much further delay on our part. I urge the early approval of this nomination by the subcommittee.

We have heard a good deal of prejudice, distortion, and haphazard legal opinion under the guise of testimony, although I do not accuse the Chief Justice's accusers of bad faith.

It seems to me, Mr. Chairman—and I am sure you will agree—that a hearing on the nomination of the Chief Justice should be more than a forum for the disgruntled looking for a new opportunity to try their cases or give vent to personal spleen.

It is my hope that remaining testimony will be pertinent to the question at hand. Now that the subcommittee has requested an FBI report, it is my hope that we will be able to act with all dispatch when the report is received.

Mr. Warren was recently quoted in a newspaper here as saying:

"When men are free to explore all avenues of thought, no matter what prejudices may be aroused, there is a healthy climate in the Nation. Dissenters can let off steam. That is important, too. The greatest figures in American history have always recognized this as inherent in our system. The Founding Fathers themselves were not orthodox either in thought or expression. They recognized both the right and the value of dissent in their generation."

These are the words of an American with a profound understanding of some of the factors which have formed the basis of the American tradition of inquiry and dissent. I believe that in the Chief Justice's case we are carrying this "inquiry and dissent" to an unfortunate extreme.

I fear, Mr. Chairman, that if we delay specific action on this case beyond what, in these circumstances, is a reasonable period, we may well impair the time-honored value of the advice and consent clause of our Constitution. The clause to which I refer is one of the important links in our great system of checks and balances and I dislike mightily to even consider the possibility that the public would develop doubts about it without just cause.

It is my considered judgment that the office of Chief Justice of the Supreme Court of the United States is second only in importance to that of the Presidency. It, therefore, behooves us to safeguard both its powers and the person selected to execute those powers with all the care and caution we can marshal within the intent and spirit of the advice and consent clause.

With my very best personal regards.

Sincerely yours,

ROBERT C. HENDRICKSON.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], inserting on page 3, after line 9, a new section.

Mr. WILEY. Mr. President, messages continue to pour into my office from all over the Nation regarding mounting opposition to the Bricker amendment.

For example, I have just heard that the Portland, Oreg., Chamber of Commerce had appointed a special committee to look into the amendment. After a full discussion, the committee, of which 18 members were present, voted 17 to 1 to oppose the Bricker amendment. It recommended that the chamber reverse its previous indorsement of the amendment. This is typical of many situations—when real experts study the amendment, they see that it is loaded with dangerous features which laymen often fail to detect.

As another expression from the opposite corner of the Nation, I send to the desk a telegram which I have received from an expert group—the Queens County (N. Y.) Bar Association—expressing its opposition to the amendment.

I ask unanimous consent that the telegram be printed at this point in the body of the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *February 16, 1954.*

Hon. ALEXANDER WILEY,
Chairman, Senate Foreign Relations Committee,
The Senate, Washington, D. C.:

I am pleased to advise you that at a meeting of the members of the Queens County Bar Association last night an overwhelming vote was registered in favor of a resolution opposing the Bricker amendments or any amendments at this time respecting the treatymaking powers contained in the Constitution. The Queens County Bar Association is the largest association of lawyers in the County of Queens, which has a population of 1,800,000 people.

A. JOSEPH GEIST,
Chairman, Committee on American Principles, Queens County Bar Association.

Mr. FERGUSON. Mr. President, I ask unanimous consent that Senate Joint Resolution 1 be printed so that it will appear as it has now been amended, and that the amendment in relation to article

VI be placed after the present article I, which has been amended.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan?

The Chair hears none, and it is so ordered.

Mr. FERGUSON. Mr. President, I submit, on behalf of myself, the Senator from California [Mr. KNOWLAND], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Massachusetts [Mr. SALTONSTALL], an amendment which would strike out lines 10 through 15, inclusive. I ask that the amendment lie on the table and be printed.

The PRESIDING OFFICER. Without objection——

Mr. BRICKER. Mr. President, let me ask what those lines are.

Mr. FERGUSON. They include section 3, which the Senator from Ohio wishes to have stricken out, and section 4.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. FERGUSON subsequently said: Mr. President, I previously asked unanimous consent to have printed, for the benefit of the Senate, the text of Senate Joint Resolution 1.

I now ask unanimous consent that sections 3 and 4, which are lines 10 to 15, inclusive, be printed in italics, and that a footnote be added on the print indicating that if the amendment which I sent to the desk, offered on behalf of myself and the Senator from California [Mr. KNOWLAND], the Senator from Colorado [Mr. MILLIKIN], and the Senator from Massachusetts [Mr. SALTONSTALL], were adopted, it would strike out lines 10 to 15, inclusive, being sections 3 and 4. In that way the print will clearly indicate what is intended to be accomplished by the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREATY POWER

Mr. JENNER. Mr. President, for years learned scholars and profound legal thinkers in this body and in the country have been engaged in a truly great debate over the question, How can we prevent use of treaties or executive agreements to make in our Government secret changes which our people would never tolerate if submitted openly?

I shall not attempt to add to the legal learning which already has been brought to bear by those who have spoken on this issue; but there is another aspect of the question which perhaps has not been fully explored. I refer to the political issue.

The Government of the United States was established as a limited government with specific powers, operating under law. It remained so for nearly 150 years. In the last 20 or 30 years we have watched the growing threat of absolute government, using legal forms, but in all important respects operating above the law.

Of all the means used to change our Government under legal forms, the subtlest and most dangerous is perversion of the treaty power and of executive agreements in foreign affairs.

The Constitution provides that—

> All treaties made * * * under the authority of the United States shall become the supreme law of the land.

For 135 years it was universally supposed that the treatymaking power was, like all other powers granted under the Constitution, a limited one. Neither the President, the Congress, nor the Supreme Court was granted any authority to make or approve a treaty which violated the principles of government embodied in our great Charter. Few dreamed that any branch of the Federal Government could exercise, under the treaty clause, powers which were expressly forbidden to it in the body of the Constitution.

Why, then, do we need to reiterate what most people thought was obvious? Why do we need a constitutional amendment to restate what is implicit in every line of the Constitution? Why do we need this amendment today, if we managed so well without it for 165 years of our existence? Are our liberties confronted with a new threat which did not exist twenty-odd years ago?

The answer is "Yes," Mr. President.

Today our liberties are faced with a most dangerous threat which did not exist 20 years ago.

In 1920, the Supreme Court handed down the historic decision, in Missouri against Holland, in which it was stated, for the first time, that Congress could exercise legislative power under a treaty, which it could not exercise otherwise under our Constitution.

By that decision, treaties were placed out of bounds so far as the principle of limited powers was concerned.

Since 1920, we have had the most insidious development of this new principle by one little extension after another.

The doctrine that treaties were outside the limits of the Constitution meant that they were above the laws of the States.

It raises fears that they are above the Bill of Rights, and even of the provision of the Constitution guaranteeing to every State a republican form of government.

The doctrine that treaties were above the Constitution was soon extended to executive agreements, which were meant to be simple, administrative devices for working out details of treaties and agreements whose substance had been approved by Congress.

In the Pink decision, the Supreme Court held that a personal agreement between President Roosevelt and Mr. Litvinov, which recognized the Soviet Union, effectively nullified provisions of the laws of New York State, and of the American Constitution, forbidding confiscation of private property.

The doctrine that the President could make personal agreements was extended to the doctrine that agreements made by any authorized member of the Government bureaucracy, in the name of the President, had the same effect as those made by the President.

Meanwhile, we committed ourselves to the United Nations system and undertook a vast network of legal responsibilities which has never been fully explored

Mr. Vermont Hatch, member of the committee on peace and law through the United Nations, said in a memorandum submitted, at its hearings, to the Judiciary Committee:

> The United Nations Charter is one of the most far-reaching treaties that this or any other nation could enter into.
>
> It was subjected to but 4 days of formal hearings by the Senate, which gave its advice and consent to ratification 1 month and 2 days after it was signed.
>
> There was neither time nor opportunity for the people to study, debate, and digest its 111 articles and the 70 articles of the Statute of the International Court of Justice.

At the same time the amount of Government business carried on by treaties increased enormously, and executive agreements increased even faster.

Mr. Dulles tells us that 10,000 executive agreements have been made pursuant to NATO alone.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. JENNER. I yield.

Mr. MORSE. Did he make that announcement before or after the Louisville speech?

Mr. JENNER. I think it was after the Louisville speech.

There were other changes, not in law but in policy.

The State Department became the advocate of a doctrine that the President had absolute power in foreign affairs, a doctrine to be found nowhere in the Constitution.

Obviously the President, as Chief Executive, is responsible for the conduct of foreign relations, but conduct is an executive responsibility.

It does not involve by indirection the exercise of legislative powers.

Alexander Hamilton pointed out, in the Federalist papers, that treatymaking is neither entirely legislative nor entirely executive, but that—

> The vast importance of the trust and the operation of the treaties as laws plead strongly for the participation of the whole or a portion of the legislative body in the making of them.

If Hamilton felt that way about treaties, it seems obvious he would have felt the same about executive agreements which make domestic law.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JENNER. I yield.

Mr. LONG. Will the Senator quote again what he has just read from Hamilton? I had not heard that quotation in this debate.

Mr. JENNER. Hamilton said:

> The vast importance of the trust and the operation of the treaties as laws pleads strongly for the participation of the whole or a portion of the legislative body in the making of them.

The State Department also spread assiduously the doctrine that the distinction between foreign and domestic issues had disappeared.

Secretary Dulles has said he does not agree with that policy, but we do not know when another Acheson will occupy the office of Secretary of State.

The Department under recent Presidents apparently operated on the principle that treaties were submitted to the Senate for formal ratification only.

Dr. Wallace McClure, one-time Chief of the Treaty Division of the State Department, said in his book, written in 1941:

> For controversial international acts, the Senate method may be quietly abandoned, and the instruments handled as executive agreements.
>
> But for large numbers of purely routine acts, about which no public opinion exists, and no question as to their acceptability arises, the present method is desirable.

That is, the Senate is to be given plenty of busy work, so it will not have time to discover what policy changes are under way.

This is a total reversal of our constitutional system.

Under such a concept, the executive branch would handle all important matters, and the Senate would handle the multitude of details formerly left to the executive branch.

Secretary Dulles has said:

> Treaties can take powers away from Congress and give them to the President.
>
> They can take powers from the States and give them to the Federal Government or to some international body, and they can cut across the rights given to the people by their constitutional Bill of Rights.

Applying the logic of the Pink case, we can add that executive agreements do the same thing.

Now we begin to see the magnitude of our danger.

If we note that executive agreements today mean personal arrangements like that between Roosevelt and Litvinov, or administrative decisions by a minor foreign policy official in a distant country, like John Stewart Service; if we add that these agreements on foreign affairs now spread over areas formerly considered purely domestic, we come closer to the full measure of our danger.

Today the path to total dictatorship in the United States can be laid by strictly legal means, unseen and unheard by Congress, the President, or the people.

That is a rather strong statement, Mr. President, and I shall repeat it. Today the path of total dictatorship in the United States can be laid by strictly legal means, unseen and unheard by Congress, the President, or the people.

Why has this strange new use of the treaty power and of executive agreements grown by leaps and bounds within the last few years?

Why do we have an ever-growing number of treaties put before us which contain the threat of hidden sinkholes through which our liberties may ebb away?

Is some force at work changing the entire character of the treaties we are negotiating and the agreements we make?

The answer is "Yes."

We have a well-organized political-action group in this country, determined to destroy our Constitution and establish a one-party state.

This political-action group has its own local political support organizations, its own pressure groups, its own vested interests, its foothold within our Government, and its own propaganda apparatus.

Because I believe deeply in preserving the unity of true Americans I ask permission, Mr. President, to describe a little more fully this secret group which is the source of that perversion of treaty-making and of executive agreements, and all aspects of our foreign policy, which troubles us so much today.

One may call this group by many names. Some people call it socialism, some communism, some collectivism. I prefer to call it "democratic centralism." That is the type of government in which executive officials have absolute power under the outer forms of so-called democracy.

But I wish to stress one fact. The important point to remember about this group is not its ideology but its organization. It is a dynamic, aggressive, elite corps, forcing its way through every opening, to make a breach for a collectivist one-party state.

It operates secretly, silently, continuously to transform our Government without our suspecting the change is under way.

This revolutionary political corps operates as a fourth branch of government, never recognized in the Constitution but today equal in power to the other three branches combined.

The Constitution envisages a governmental establishment operating under the scrutiny of an elected President, his personally selected appointees, and an elected Congress.

Does anybody seriously believe that any President or any Congress can scrutinize hundreds of treaties, or tens of thousands of executive agreements stemming from NATO alone?

Mr. LONG. Mr. President, will the Senator from Indiana yield?

Mr. JENNER. I am very happy to yield.

Mr. LONG. Obviously it is impossible to do so, because we cannot even see them, if they are secret. We cannot even see half of them, let alone 10,000.

Mr. JENNER. That is correct.

Mr. LONG. We are not permitted to see them.

Mr. JENNER. That is correct. That is the fourth branch of government which has our country under its control.

During the Second World War, under Secretary Hull, the State Department had under a thousand employees.

Within a short while, under Dean Acheson, it grew to almost 10,000.

This increase was due in large part to its absorption of the personnel of wartime agencies like OWI, OSS, FEA, and the rest.

They bypassed the regular employees, and penetrated the Foreign Service.

The planners changed our historic State Department, as it operated under Mr. Hull, into a branch, in fact, the principal agent, of the ideological revolution started by Harry Hopkins, Alger Hiss, Henry Wallace, Owen Lattimore, Harry D. White, Frank Coe, and Harold Glasser.

J. Anthony Panuch, former assistant to Secretary of State Byrnes, testified before the Internal Security Subcommittee, that the purpose of this blanketing in of New Deal personnel was to bring about an ideological revolution in the State Department.

Mr. Panuch, who was in charge of weeding out Communists from among these transfers, was fired by Dean Acheson on 10 minutes' notice, when Acheson became Acting Secretary in General Marshall's term as Secretary of State.

Does anybody seriously think that 96 Members of the Senate, with the responsibilities they carry for every field of legislation, can cope with a State Department with a staff of 10,000 people, some of whom are directed by officials committed to secret political revolution?

Under such circumstances, what chance does anyone think we have, Mr. President?

I do not wish to indulge in any blanket indictment of the State Department or of any other Government employees.

Most of these people are honestly trying to do their best.

But this secret revolutionary corps understands well the power to influence the people about them, by praise and fear, and by creating a climate of opinion, by an elegant form of brainwashing, which convinces their coworkers of policies and slanted opinions they would never have chosen in the free air.

We see this, for example, in the innocent use of words like "democracy" in place of "representative government."

But remember that representative government emphasizes the barriers against absolute power, and democracy thinks there is no need for them.

If I seem to be extremist, the reason is that this revolutionary clique cannot be understood, unless we accept the fact that they are extremist.

It is difficult for people governed by reasonableness and morality to imagine the existence of a movement which ignores reasonableness and boasts of its determination to destroy, which ignores morality, and boasts of its cleverness in outwitting its opponents by abandoning all scruples.

This ruthless power-seeking elite is a disease of our century, Mr. President.

We cannot explain it here, though it is easily explained.

But Americans dare not refuse to admit its existence, while its members occupy so many positions of power in our Government and in agencies influencing public opinion.

This group within our Government operates today under its own unguided direction.

It is answerable neither to the President, the Congress, nor the courts.

It is practically irremovable.

It cares nothing for party changes directed by the sovereign people, but bows its head to the breeze, and waits for the officials set up by the Constitution to grow weary of the struggle.

This group in Government has a philosophy which is nowhere influenced by the Declaration of Independence, or the American Constitution, or the Federalist papers.

It has a strategy which is not derived from anything known to the two parties, operating under constitutional principles of open discussion and open voting on policy issues.

This group is no part of a constitutional republic.

Mr. LONG. Mr. President, will the Senator from Indiana yield?

Mr. JENNER. I yield.

Mr. LONG. One matter which concerns some of us is that traditionally there was cooperation between the Executive and the Senate with reference to the making of treaties. In connection with the functioning of the Senate in advising and consenting to the ratification of treaties, it was assumed that the Executive would attempt to find out what the Senate would approve and what would be the wishes of those who represented the States in this body. Since the making of executive agreements has become more and more prevalent, the argument has been made that we do not need to know what an executive agreement may contain.

Mr. JENNER. And we do not know.

Mr. LONG. If the constitutional amendment were agreed to it would afford us an opportunity to know what is in some of the agreements. The agreements would not become law within this Nation unless approved by the Congress. Nevertheless, there is no way provided by the George amendment to assure us that we would have notice concerning the ways in which we are committed to send money overseas or to station troops on foreign soil, or even the obligation which may entail the necessity of sending troops to foreign lands, or, whether, in the event of an outbreak of hostilities, we might be required to go to war. There is the possibility that the lives of our citizens may be endangered without knowing what is contained in such agreements.

Mr. JENNER. The Senator is correct. The American people are not asking us to do something to take positive action, they are telling us to do so.

Mr. LONG. One thing which does concern me is that it is desirable to have some provision which would prevent a man's life insurance policy being made valueless, or the proceeds of a trust in which he has an interest being denied him. There is still a great danger that action might be taken in connection with these executive agreements which, in some manner, might cost a man his life in the long run.

Mr. JENNER. It belongs to a different political and governmental order.

It is the panzer column which, in our country, leads the world-wide advance of the one-party state.

This is political power, Mr. President.

It is ruthless, determined, political power. This political force is not standing still. It is moving forward with all the energy such a group possesses.

It conducts tactical retreats but only the more surely to advance to its own secret goal.

Americans have been reluctant to recognize the actual change in their Government. But the change is there.

Outwardly, we have a constitutional Government.

We have, operating within our Government and political system, another body representing another form of Government, a bureaucratic elite, which believes our Constitution is outmoded, and is sure it is the winning side.

From my work with the Committee on Internal Security, I assure you that the Communist strategists fully understand the nature of this new branch of our Government, if we do not.

Our report on Interlocking Subversion in Government Departments is full of instances of how carefully the Communists studied the emergency agencies set up by the New Deal, and how skillfully they moved from point to point, like soldiers advancing in enemy territory.

All the strange developments in foreign policy agreements may be traced to this group who are going to make us over to suit their pleasure.

We must consider our danger not only in terms of the treaties or agreements which have been completed, but in terms of those still in the pipelines, or already in effect but still invisible to Congress or the people.

I want to invite the attention of the Senate, Mr. President, to the subtlety and finesse of this hidden revolution.

To make it clear I will relate a story.

Under the Nazi regime in Germany, a man worked in a factory making baby carriages.

His wife was going to have a baby, but the Nazi government would not let anybody buy baby carriages.

So he decided he would secretly collect the parts he needed, one from each department, and assemble the carriage himself.

When the time came, he and his wife gathered up the pieces, and assembled them.

But when they finished, they did not have a baby carriage. They had a machinegun.

The story explains what has been happening to our form of Government.

Someone, somewhere, conceived the brilliant strategy of revolution by assembly line.

The pattern for total revolution was divided into separate parts, each of them as innocent, safe, and familiar-looking as possible.

The leaders did not intend to assemble the parts until they needed machineguns.

But let us keep in mind very clearly, Mr. President, that when the parts of a design are carefully cut to exact size, to fit other parts with a perfect fit, in final assembly, the parts must be made according to a blueprint drawn up in exact detail.

This does not happen by chance.

The men who make the blueprints know exactly what the final product is to be.

They have planned the final assembly years ahead.

They do not think they are making baby carriages.

Each of the legal points brought out in this debate is one of the little innocent-appearing parts within a master design for destruction of our Constitution.

Mr. President, I said I would not take up legal points, that I wished to speak of political policies and issues, but I shall take up one legal point.

That concerns the effect of the treaty we have already signed in the United Nations Charter.

Many of our people believe that, while the United Nations and its affiliates are preparing several hundred treaties, some at least of dubious value, the question of accepting those treaties and covenants is still open, and any threat to our Constitution and our liberties can still be dealt with under our law. That is what the people of this country believe. I have heard many Senators say so. I have never shared that confidence, Mr. President.

On January 28, the senior Senator from Nevada [Mr. McCARRAN] analyzed the legal implications of the United Nations Charter, and among other things, said:

> Today, under the present state of the law, the Congress of the United States is no longer a legislature of delegated powers, to be exercised within prescribed limits, but a legislature of unlimited, and undelegated power.

He continued:

> The Congress of the United States today, because of power granted to it by treaty, could enact laws to control and regulate all education; to control and regulate all types of commerce, whether interstate or intrastate; to control and regulate all public health; to control and regulate all civil rights; to control and regulate all communications, whether interstate or intrastate, including rates and service; to control and regulate all public power, including rates and service, or to control all production of foods on farms and in factories.
>
> Adding these powers to its constitutional power to tax, the Congress of the United States today has virtually omnipotent legislative power.

I am sorry to say that I must agree with the Senator from Nevada.

I am sorry to agree with him because I know, as he knows, of the Alger Hisses who planned it that way.

The Senator reminds us that any judge, trying to decide on the constitutionality of a law today, would have to hold the Constitution of the United States in one hand, and the U. N. Charter in the other.

I want Senators to notice how cleverly the separate parts have been designed on this United Nations assembly line, and how neatly one part fits into another.

If they are not put together, it will never be guessed they are the parts for a machinegun.

The United Nations Charter is a duly ratified treaty. Article 55 of that Charter says that the United Nations shall—not may, but shall—promote certain objectives.

Article 56 provides, and note the importance of this clause, in revolution by assembly line:

> All members—
>
> Not some, but all—
>
> all members pledge themselves—
>
> Not shall pledge; the pledge is already made—
>
> to make joint and separate action • • • for the achievement of the purposes • • • in article 55.

The Attorney General has said that action under article 56 is obligatory.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JENNER. I yield.

Mr. LONG. Is there not a provision in the United Nations Charter to the effect that each nation will act within its own constitutional processes? I ask the Senator the question because it has been urged that that provision might have the effect of placing a limitation upon the powers of the American Government that would not otherwise have existed.

Mr. JENNER. I think that under the theory on which we are operating today, the United States—either the States or the Congress—can have nothing to say about it. The treaty is the supreme law of the land, it is said, and the United States Government is obligated and bound by articles 55 and 56 of the United Nations Charter.

Mr. LONG. What I had in mind was that it has been urged that there are provisions in the United Nations Charter to the effect that each nation will act within its own constitutional processes. From that it could be argued that the charter does not become automatically effective, but that, perhaps, there must be a constitutional amendment to provide for action if the action goes beyond the historic powers granted under the Constitution.

Mr. JENNER. Let us see how those parts fit together. I am talking about the machine gun that looks like a baby carriage.

Let us look for a moment at the objectives incorporated into our Government by article 55.

The United States is to promote full employment.

But the program of full employment was carefully examined by a committee of the House when it was proposed by Henry Wallace, as part of his campaign for 60 million jobs. Do Senators remember that?

In the appendix of the House hearings there is a full analysis of the provisions of this bill.

This analysis ends in the conclusion that full employment is in fact the Soviet doctrine of the labor army—the relentless incorporation of all workers in the nation into one mass organization, where freedom to change jobs, to stay out of work to write a book, or to raise one's status or profession, will inevitably disappear.

Article 55 says—and therefore the Congress must implement it—that the United Nations shall promote observance of human rights.

What does this mean?

Does it not mean that the United Nations, and not our sovereign States, will determine our immemorial rights?

This same section says the United Nations, and therefore Congress, shall promote universal observance of human rights, regardless of sex, language, or religion.

Does that mean that if we wished to give special protection to women, no State or city could do it?

Does it mean we must work toward the day when American women, like Soviet women will sweep the streets like men, and carry stone for building jobs, while their babies are brought up in a state nursery?

What exactly does this word "religion" mean?

Are we committed to demanding uniformity from our church groups on any matter which can be called human rights?

And whose uniformity, I ask?

Obviously the uniformity imposed by the United Nations.

Do we have here the "parts" for that establishment of a state-approved church, which has the "right" political slant, though our Constitution makers hoped permanently to prevent it?

Let us not be deceived by a minor point.

It is not part of the plan that any of these hidden powers would be prematurely used. Oh, no.

There is no intention to make visible the final result, until the masses have been conditioned, like Pavlov's dogs, to what they should feel and say.

This assembly line revolution is like a time bomb, Mr. President.

The mechanism is under complete control.

It is ready to go off, but it is not going to be set off until the time is ripe, until a switch is pulled.

The switch is not to be pulled until the American people are conditioned, or convinced that resistance is hopeless.

The Senator from Nevada has told us of the powerful State Department organization for propaganda against the Bricker amendment.

The role of all propaganda machines is to brainwash the American people, to keep them quiet till the day when the planners can assemble the "parts" which look like an innocent carriage for babies, but turn out to be a battery of machine-guns pointed at our Constitution.

The American people know the United Nations is preparing a series of treaties which would operate as domestic legislation, affecting our citizens in matters on which our Constitution does not permit even the Federal Government to legislate.

They would abolish our Bill of Rights and replace it with a body of stage-granted privileges and duties modeled exactly upon the Soviet Constitution.

The people of the United States believe those rights are still safe until Congress enacts a change. Many of our scholars and our editors believe it.

The Senator from Nevada believes we have already adopted the treaty which commits us to these new objectives, and to legislation to implement them on demand.

The Senator from Nevada says that any judge today, asked to pass on a law of Congress, would have to hold the Constitution of the United States in one hand and the United Nations Charter in the other. I agree with the Senator from Nevada.

The United Nations Charter contains the seeds of power to deprive our States of a republican form of government, guaranteed by the Constitution. It has within it the pattern for making the States into satellite provinces, subject to a Congress which, under the United Nations Charter, will have to tell them what to do.

The Charter of the United Nations will come up for revision in 1955. We have already appropriated money for a study of its revision. We must examine every one of these time bombs hidden in its innocent-sounding phrases before this year is over.

"The Congress today," says the Senator from Nevada, "couid enact legislation taking over all private and parochial schools, destroying all local school boards—and substituting a Federal system." I agree with the Senator from Nevada. I believe the Congress could make a system in imitation of the Soviet system of education, and our courts would have to say that we signed away our rights when we consented to the Charter.

I further believe, Mr. President, that there is something very odd about the way in which the Korean war was directed by the United Nations. A President of the United States, acting as Commander in Chief over fighting men drafted under laws enacted by the Congress, accepted a commission to act as agent of the United Nations. He thereupon converted American fighting men, with a few men from other nations, into something called U. N. forces. The difference was very light, very delicate, but that is all one needs for a major operation.

Did that act snip the connection between the American President and the American Constitution, when he acted as an agent of the United Nations?

Were the members of our Armed Forces thereby taken out of the protection of American law and put under the "protection" of the United Nations?

What happened to the congressional power to declare war? Did the United Nations Charter transfer it to the President, the United Nations, or both? This new chain of command was never carried to its logical conclusion. But was that part of the plan? Is this another time bomb?

When it explodes, perhaps years from now, will we find that perhaps an unscrupulous American President could build armed power, through the American draft laws, and then use that armed might, under a United Nations assignment, as he saw fit, while the Constitution and the courts were powerless to restrain him?

Does Congress today have the power, and the duty, to give American resources in unlimited amounts to Patagonia or Newfoundland, under the requirement in the Charter that it must legislate to promote "higher standards of living"?

Is this the real meaning behind the unceasing propaganda for an innocuous-seeming point 4?

Will Congress some day vote what the Europeans call our "surpluses" to some United Nations fund, which will then use them to bring "higher standards of living," perhaps in Soviet Russia?

Let us not laugh at the idea. That is what the Soviet Union thought we were going to do in 1945. That was the

meaning behind Mr. Wallace's plea for milk for the Hottentots and all the postwar argument that the American economy would collapse if we did not give our "surplus" to foreign nations.

Look up the hearings on postwar planning, Mr. President. You may be surprised.

This sharing of our substance is what the Soviet Union and the collectivist planners have been asking for again and again, in many forms. They do not want the United States to stand as an unanswerable argument against Soviet misery. The planners change their labels and their sales talk, but never their objective.

Do they know that some day, when we are tired enough, they will show how we have already been tied hand and foot by the soft-sounding, innocent words of articles 55 and 56?

Dr. Wirt, of my State, told us in 1934 that the plans were all drawn, the timetable established.

We have defeated many attempts at one-party government and absolute power. But with what result? The advocates of the dark revolution come up with newer, more subtle methods. They work every day for long hours on this and nothing else. Frequently we pay their salaries and those of their fellow workers from public funds.

While we go back to productive work to earn enough to pay taxes, they play games, inventing still subtler methods of achieving the goal they will never abandon.

Of all the devious routes which these secret revolutionists of the mimeograph machine and the microphone have discovered, the most dangerous is the perversion of the treatymaking power and the shift to executive agreements for legislating domestic and foreign policy.

I repeat, Mr. President, these secret revolutionists have a powerful political movement, with its pressure groups, its propaganda apparatus, and its technical bureaucracy entrenched in Government.

Their task is to make boobytraps which will blow up and destroy the loyal Republicans and Democrats who try to work within the Constitution.

Their goal is to set time bombs which will explode year by year for many years extending into the future carrying pieces of our Constitution with them, until the whole is destroyed.

Mr. President, we Democrats and Republicans have no more right to ignore those boobytraps and those time bombs than a general leading his armies into Germany or Japan in 1945 would have had the right to ignore boobytraps and time bombs left by enemy suicide squads.

We have a duty to find every one of them. We have a duty to rip them out, and not to cease from that effort until every political boobytrap has been located and every time bomb has had its fuse removed. We have a duty not to cease until every public servant who has worked to undermine the Constitution is removed from office. We must persevere until every member of its supporting apparatus, who is receiving public funds from hidden pockets of Government, is separated from the payroll.

That is not a future danger, Mr. President. The perversion of the treaty power and the misuse of executive agreements have meshed us into a system which rests on Soviet Russia's ideas of human rights, of full employment, of compulsory labor, and of government management of the press. They have meshed us into a system in which technicians of the United Nations can draft laws which override the domestic legislation of our States.

In the Internal Security Subcommittee, we have been looking at some of these technical experts in international agencies.

The perversion of treaties and executive agreements has probably meshed us into a system from which an unscrupulous President could raise American armies by vote of an American Congress, send them to foreign parts, and then, by accepting appointment as the agent of the United Nations, carry on wars the American Congress never voted, or forbid our fighting men to take part in wars Congress had declared, to protect our Nation.

Mr. President, in this effort we should start with the original decision of the Supreme Court in the case of Missouri against Holland. So long as it stands, all judges of lower courts are bound by it. If that decision is to be superseded, a new constitutional amendment is necessary.

It is our duty to initiate an amendment which makes it forever clear—as the Founding Fathers intended—that neither treaties nor executive agreements may be used to destroy government under law, to destroy the separation of powers, to undermine the republican form of government in the States, or to take away the protection for individuals in the American Bill of Rights.

The amendment proposed by the Senator from Ohio is not designed in any way to restrict the President's constitutional role in treatymaking. In this debate there is no shadow of a conflict between Congress and the executive branch. Some of the treaties which now concern us so deeply were approved by the President, accepted by the Senate, and have been, or probably will be, upheld by the Supreme Court. All three branches of Government are involved. All must be restricted.

The amendment is not designed to restrict the President in any way in the making of executive agreements serving their proper purpose, which is to implement policy decisions formally approved by the President and two-thirds of the Senate. Nothing in this amendment is designed to affect the separation of powers between the executive and the legislative branches.

The amendment is designed to block any President, any Congress, or any Supreme Court, from legalizing changes in the Constitution, through abuse of the treaty power, or misuse of executive agreements. In a nutshell, that is the purpose of the amendment.

There may be differences of opinion about minor details of the amendment, Mr. President.

However, among those who believe in the American Constitution, there can be no differences of opinion about the objectives of the amendment.

(a) The final amendment must close the door to the doctrine of Missouri against Holland, and must bring the legislative powers of Congress, under the treaty power, back within the principle of limited powers which the Constitution sets for every aspect of the Federal Government.

(b) It must limit the power of the executive branch to usurp, by so-called executive agreements, made without the consent of the Senate, the policymaking powers which the Constitution gives to the President and the Senate jointly.

(c) It must require that the Senate or Congress specify precisely when or how treaties and executive agreements are to govern American citizens in their relation to one another and to their Government.

(d) It must limit the power of the President, the Congress, or the courts, to approve domestic legislation, under the guise of treaties or executive agreements, which alters any part of our governmental system to another form of government, or deprives our people of any of their constitutional rights.

This is what the Republican platform deals with in its statement:

> We shall see to it that no treaty or agreement with other countries deprives our citizens of the rights guaranteed them by the Federal Constitution.

This is what President Eisenhower dealt with in his statement:

> I fully subscribe to the proposition that no treaty or international agreement can contravene the Constitution.

That is what the members of the Constitutional Convention intended. That is where we have stood for well over a century.

That is the position from which we have secretly been manuevered by hidden forces. That is the position which Congress, by amendment, would restore.

The genius of our Constitution lay in the precision with which it gave the national Government all the powers it would ever need, to deal with foreign governments and the threat of war, but barred it from using its powers against its own people to destroy their liberty. With Missouri against Holland, that distinction is gone.

The Congress in the proposed amendment is not trying to weaken by one iota the ability of the Federal Government to deal with foreign governments and the threat of war.

It is trying to meet a most insidious and dangerous attempt to give the National Government the power to destroy the liberties of the American people, to undermine republican government in the States, and to permit the Federal executive branch to operate above the law.

The only difference in our country today, on this question, is due to confusion over the source of the danger. Many of our people do not clearly see the political agency from which the danger comes.

The revolutionary cabal and its allies is threatened for the first time with loss of all the total power whose capture they had so carefully planned. They designed the overall strategy. They broke the whole up into precisely measured parts and carefully timed moves, which appeared to be wholly unrelated.

They trained their technicians, their organizers, and their propagandists.

They waited silently for the day when total power should fall into their hands.

Let us never forget—that was total power over all the people and all the resources of the United States.

Now they see their power shaken, their strategy failing, their edifice perhaps crumbling into ruins.

Perhaps they are not on the winning side after all. But they will fight. They will build up their propaganda.

They will use every ally, to prevent the American people from guessing how far the transformation had gone.

The American people are aroused, Mr. President. They love their Constitution. They believe it embodies the most effective system for the preservation of liberty ever devised by the mind of man.

The American people may be confused about minor issues. They may accept for a time so-called remedies for very real difficulties, which eat away at the foundation stone of their liberties. But once they recognize any act of government or party or faction as a threat to their Constitution, they will rise up in determined anger, and they will persevere until the Constitution is safe again.

The Constitution is the ark of our political covenant, the binding promise which holds us together as a Nation. Weaken our Constitution by any subterfuge, and the spiritual foundations of the Republic will crumble. It will not be long until the leader or the emperor arises to carry us along the road traced by republics before us.

The American people are not asking the Congress if it will preserve the Constitution. They are telling us.

The American people are not asking us to close the loopholes by which alien laws can be imposed on our country and our precious liberties undermined. They are telling us.

The American people have left to Congress the responsibility for drafting whatever amendments or statutes may be necessary to close forever this dangerous loophole in our political defenses. But they are not asking Congress whether it thinks the job is necessary. They are telling us.

As one of the original sponsors of the Bricker amendment, I wish to pay tribute here to the senior Senator from Ohio who has carried on his fight for years, first against public indifference and then against this propaganda machine.

I wish to pay tribute to the Senator from Georgia [Mr. GEORGE] and the Senator from Nevada [Mr. MCCARRAN] from the minority party, who have tried to help in finding words, on which all could agree, to serve our purpose.

As a member of the Senate Judiciary Committee, I wish to thank the able lawyers who have given their time and energy to help the Congress in the thorough technical and scholarly work that needed to be done.

I wish also, Mr. President, to thank the patriotic women who came from all parts of the United States to tell Members of Congress what Lincoln said, namely, that the Constitution must be preserved.

These ladies asked nothing of us, Mr. President, in the way of jobs or favors or advantages for themselves. They asked us only to save our country. They were not thinking of party or faction or victory, Mr. President. They were thinking only of their sons, who were ready to fight for their country.

I am proud that the American people have risen to the danger, that they have mobilized in defense of the Constitution, so many Members of this body and of the other House, so many distinguished lawyers and students of political organization, so many patriotic men and women.

I am confident that a free people when aroused are more than a match for any revolutionary junta and its propaganda arm, however secretive and however ruthless.

In times of danger to our Constitution there can be no partisan differences between the historic political parties which work under the Constitution. Both parties have one primary aim—to root out the adventurers who are engaged in destroying the Constitution with their time bombs, and to reinforce the words of the Constitution so that there can be no misunderstanding again.

There can be no differences between the Congress and the executive branch. We have President Eisenhower's statement that no treaty must be made which is in violation of the spirit of the Constitution.

The line of division today is between real Democrats and real Republicans on one side, in defense of the Constitution, and on the other the secret revolutionists and those they have brainwashed, in their ruthless pursuit of power.

This must be the only political division in our country until the Constitution is secure.

I hope President Eisenhower's administration will go down in history as the moment when the revolutionary cabals, which perverted our treaties and executive agreements in foreign affairs, in order to convert us into a one-party state, are defeated at last, and the defenders of our Constitution gain their final victory.

VISIT TO THE SENATE BY THE FOUR WINNERS IN THE SEVENTH ANNUAL VOICE OF DEMOCRACY CONTEST

Mr. SCHOEPPEL. Mr. President, I wish to invite the attention of the Senate to the Voice of Democracy contest and to the winners of the contest.

The contest is sponsored by the National Association of Radio and Television Broadcasters, the Radio-Electronics-Television Manufacturers' Association, and the United States Junior Chamber of Commerce. It has been held for the past 7 years.

During that time more than 1,000,000 students and other young people have participated in it. This year there were four winners of the contest. I am happy to announce that the four young people, the winners of the contest, are now in the gallery of the Senate.

I ask unanimous consent, as I read the names of these young people, that they be permitted to stand so that Senators may see them.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHOEPPEL. I believe it is a great honor which these young people have brought, not only to their respective fathers and mothers, who have participated in the educational advantages of their children, but to the States in which they live.

The names of the young people are: Philip M. McCoy, of the Argentine High School, Kansas City, Kans.; Elizabeth E. Evans, of the John R. Buchtel High School, Arkon, Ohio; Joseph H. Gerdies, Jr., of the Harrisburg Catholic High School, Harrisburg, Pa.; and Joel H. Cyprus, of the Wichita Falls High School, Wichita Falls, Tex.

(As Mr. SCHOEPPEL read their names, the four winning students rose from their seats in the gallery, and were greeted with applause by the Members of the Senate.)

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the scripts of the four winning broadcasts in the contests.

There being no objection, the scripts were ordered to be printed in the RECORD, as follows:

I SPEAK FOR DEMOCRACY

(By Elizabeth Ellen Evans, age 16, John R. Buchtel High School, Akron, Ohio)

I am an American. Listen to my words, Fascist, Communist. Listen well, for my country is a strong country, and my message is a strong message.

I am an American, and I speak for democracy.

My ancestors have left their blood on the green at Lexington and the snow at Valley Forge—on the walls of Fort Sumter and the fields at Gettysburg—on the waters of the River Marne and in the shadows of the Argonne Forest—on the beachheads of Salerno and Normandy and the sands of Okinawa—on the bare, bleak hills called Pork Chop and Old Baldy and Heartbreak Ridge. A million and more of my countrymen have died for freedom.

For my country is their eternal monument. They live on in the laughter of a small boy as he watches a circus clown's antics—and in the sweet, delicious coldness of the first bite of peppermint ice cream on the Fourth of July—in the little tenseness of a baseball crowd as the umpire calls, "batter up!"—and in the high school band's rendition of "Stars and Stripes Forever" in the Memorial Day parade—in the clear, sharp ring of a school bell on a fall morning—and in the triumph of a six-year-old as he reads aloud for the first time. They live on in the eyes of an Ohio farmer surveying his acres of corn and potatoes and pasture—and in the brilliant gold of hundreds of acres of wheat stretching across the flat miles of Kansas—in the milling of cattle in the stockyards of Chicago—the precision of an assembly line in an automobile factory in Detroit—and the perpetual red glow of the nocturnal skylines of Pittsburgh and Birmingham and Gary.

They live on in the voice of a young Jewish boy saying the sacred words from the

Torah: "Hear O Israel: the Lord our God, the Lord is One. Thou shalt love the Lord thy God with all thy heart and with all thy soul and with all thy might."

And in the voice of a Catholic girl praying: "Hail, Mary, full of grace, the Lord is with Thee."

And in the voice of a Protestant boy singing: "A mighty fortress is our God, a bulwark never failing."

An American named Carl Sandburg wrote these words:

"I know a Jew fishcrier down on Maxwell Street—
With a voice like a north wind blowing over corn stubble in January. * * *
His face is that of a man terribly glad to be selling fish,
Terribly glad that God made fish, and customers to whom he may call his wares
From a pushcart."

There is a voice in the soul of every human being that cries out to be free. America has answered that voice. America has offered freedom and opportunity such as no land before her has ever known, to a Jew fishcrier down on Maxwell Street with the face of a man terribly glad to be selling fish. She had given him the right to own his pushcart, to sell his herring on Maxwell Street—she has given him an education for his children, and a tremendous faith in the nation that has made these things his.

Multiply that fishcrier by 160,000,000—160,000,000 mechanics and farmers and housewives and coal miners and truck drivers and chemists and lawyers and plumbers and priests—all glad, terribly glad to be what they are, terribly glad to be free to work and eat and sleep and speak and love and pray and live as they desire, as they believe!

And those 160 million Americans—those 160 million free Americans—have more roast beef and mashed potatoes—the yield of American labor and land; more automobiles and telephones, more safety razors and bathtubs, more orlon sweaters and aureomycin, the fruits of American initiative and enterprise; more public schools and life-insurance policies, the symbols of American security and faith in the future; more laughter and song—than any other people on earth.

This is my answer, Fascist, Communist. Show me a country greater than our country, show me a people more energetic, creative, progressive—bigger hearted and happier than our people; not until then will I consider your way of life. For I am an American, and I speak for democracy.

I SPEAK FOR DEMOCRACY

(By Joseph H. Gerdies, age 17, Harrisburg Catholic High, Harrisburg, Pa.)

Abraham Lincoln uttered more than a mere phrase at Gettysburg, when he spoke those now famous words, "Government of the people, by the people, and for the people." For every loyal American recognizes that phrase as Lincoln's definition of democracy.

When he said "of the people" Lincoln meant that people have the right to govern themselves. In other words, he meant that democratic government comes out "of the people." It is this principle which has made America the citadel of freedom, a place where men willingly cooperate with the law and where the law itself is felt to be in the classic words of Justice Holmes "the witness and external deposit of our moral life." In America, thank God, we are citizens, not subjects.

So the essence of the American Republic is a recognition of the dignity of manhood in all men. In its foundation this Government was an act of supreme confidence in man, a concession, such as never before had been given to human dignity. Its creation was, indeed, a bold experiment, the bravest political act recorded in history. In fact, liberty had never really been understood until it was caught up in a human embrace and embodied in a great and abiding nation.

In the second portion of his definition Lincoln said, "by the people." It was the conviction of the Founding Fathers that all power comes from the Creator through the people, and their desire to safeguard the exercise of that power, not directly by the people in their confused and scattered individualism, but through representatives seated in calm thought and timely research. The masses are not experts in the solution of complicated problems. But, they can delegate their problems to lawmakers of their choice, men in whose qualities and experience they have confidence. And, Americans know that if they don't like a particular law, in due course they can change it. That is the privilege of the American people, they can change their laws and their Government without ever meaning to change the Republic.

In concluding his definition Lincoln said, "for the people." Well, certainly American democracy has produced better results than any other form of government in history. Our high standards of living and education, our medical care, our freedoms are the envy of every nation on the face of this globe. At the same time the United States has become the most powerful country in the world, more powerful than the realm of any Caesar or Czar, ancient or modern, while remaining at the same time a community, preserving the neighborly qualities of its origin.

While the greatness of America is her democracy, the peril of America is also her democracy, for danger can come from the misuse of freedom. Democracy must not, therefore, be permitted to struggle alone for its existence; it needs the best that men can give it.

May our hearts beat with a love for our Republic; our tongues chant its praises with eloquence; may our hands be ready to work for it and defend it; and may we never forget the legend engraved on the base of the Statue of Liberty:

"Give me your tired, your poor, your huddled masses yearning to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest-tost, to me; I lift my lamp beside the golden door."

That, my friends, is the voice of democracy.

I SPEAK FOR DEMOCRACY

(By Philip M. McCoy, age 16, Argentine High School, Kansas City, Kans.)

I am democracy.

I was planted as a seed in the minds of men by God Himself.

I blossomed forth into a world of tyranny and unhappiness.

In the minds of some I was just a passing fancy, but in others I became a dream, an obsession.

I was tried in Athens, speculated upon by Plato and Aristotle, obliterated by the Caesars, and crushed by feudal lords and kings during the Middle Ages.

In the 18th century I became an actuality in a struggling, youthful country where men sought true freedom.

For 175 years this country has been my home.

I have lived in magnificent buildings in Washington, D. C., and in tiny houseboats along the Mississippi. I have flourished in every classroom in the Nation. I have dwelt in beautiful green parks where families are free to rest and play as they wish. I have lived in newspaper offices where editors prepare daily editorials. I have lived in the voting polls where men choose their leaders.

I have not been contained within the covers of musty books nor held on a faded parchment beneath an airtight glass case.

Wherever there are men who seek me, there must I be.

Unless I am a part of the very lives of those whom I serve, I shall become a useless word.

Every day men throughout the world make great sacrifices for me. Many times men have given their lives that I might live.

How it hurts to see men die for my sake. How small and useless I feel as I watch those who love me prepare arms for war because of this love.

There are many things which make me realize how great a task lies ahead—an overcrowded school, an empty church, a broken home.

I shudder when I see a sign "Whites Only" or a family Bible covered with dust.

Then I wonder—how can I make the people see that I cannot be worn as a glove on a cold hand, that I cannot be turned off and on like an electric light; but that I can exist only as long as men have a sincere desire to live happily and peacefully with their neighbors.

Yet, how often I am filled with joy and gladness.

Millions of youth stand and pledge their loyalty to flag, to country, and to God.

On street corners, in barbershops, over back fences, people in two's and three's discuss freely their views on politics and government.

Sixty-one million persons go to the polls and vote according to their own ideas and opinions.

Then I realize that all is not lost. I see that the future is not a black cloud hanging over the earth. I know that men will live together in peace and prosperity, that some day the world will indeed be one world.

For I have become a part of the very beings of men, and as long as men have hearts and minds and souls, I shall live. For I am democracy.

I SPEAK FOR DEMOCRACY

(By Joel Howard Cyprus, age 17, Wichita Falls Senior High, Wichita Falls, Tex.)

Who are you? Yes, you. I am but a voice, but you are a living person, a human being. And you can answer me. You have no fear; you are not ashamed. You hold your head up high and say proudly, "I am Bill Smith. I am a Catholic."

Or your neighbor may say, "I am Saul Greenburg. I am a Jew." The couple down the street may answer, "We're the Robinsons. We are Christians."

And here I, the voice, begin to wonder. What is this? I speak into a microphone and ask a simple question like "Who are you?" and get back 3 completely different answers from 3 neighbors. How can this be? People as different as they are cannot function as a unit. And yet I see that an entire nation is formed of these diverse people. Indeed, I have good cause for wondering.

I ask another question: "Which political party do you favor?" And again, I receive answers like "the Democratic," "the Republican," "any reform party," "the party with the best ideas, no matter which one it may be." Again, too, I wonder. This is also impossible. Such opposing political views cannot live together in a single nation. Yet I look around and see that they can and do.

I try a third question: "How much money do you earn?" And for the third time each answer is different. They range from $20 per week to $250 million a year. I can see no sense, yet I can see a nation.

Again in my quest of knowledge I try a question: "Where were you born?" "England," "Texas," "Germany," "Outer Mongolia," "Brooklyn," "Timbuktu," "South Africa. * * *" The answers stream on and on. A nation with people from all over the world? Impossible. But an impossibility come true.

I continue my search, asking question after question. I seek something that holds this Nation together. And then, suddenly, it comes—the key to the whole affair. Quite innocently, I ask the question, "What are you?" And instead of a great deluge of answers come just one:

"I am an American. I believe in democracy. I am satisfied to let the opinion of the majority of the people govern my actions."

At last, I find my answer. Finally, I know. There is a simple explanation. Or is it so simple?

Two men hold opposing religious, political, and financial views. Yet these same two men are willing to work together to sponsor the homecoming dance for the local football team. These same two men meet casually on the street and greet each other as closest friends. One of these men has his house burn down and the other offers to help shelter his family until they find a new place to live. They cooperate to the fullest measure, and then we say that the answer is simply, "They are Americans."

And we are right.

It is their idea of principles and their idea of majority rule that makes America succeed. They believe that if the other fellow is down he should be helped back up; and they believe that, regardless of their views, if the majority involved favor something, it must be carried out.

My first question was all wrong. Rather than "Who are you?" I should have asked "What are you?" I would have gotten my answer immediately, for I would have heard a unanimous uproar, "We are America."

Oh, yes; just one more thing. You may be wondering. "Who am I?" I am the intangible. I have been flattering myself with my little quest for knowledge. For, you see, I—I am the voice of democracy.

Mr. SCHOEPPEL. Mr. President, I ask unanimous consent that a short biography of each of the four young contest winners be printed in the RECORD at this point in my remarks.

There being no objection, the biographies were ordered to be printed in the RECORD, as follows:

SEVENTH ANNUAL VOICE OF DEMOCRACY CONTEST WINNERS

PHILIP M. M'COY

Mr. McCoy, a 16-year-old junior at Argentine High School, Kansas City, Kans., sustains an "A" average scholastically, as well as playing tackle on the Argentine football team. He participates in school dramatic and musical activities and is a member of the student congress. He is also a member of the United Christian Youth Movement Council and plans to make teaching his career. His father is a teacher.

ELIZABETH E. EVANS

Miss Evans, a 16-year-old junior at John R. Buchtel High School, Akron, Ohio, has won numerous writing and public speaking awards. A one-time city spelling champion, she is a member of the Akron Public Library teen-age book panel, plays a flute in the school band and orchestra, and serves on the editorial staff of her school newspaper. She is active in the National Forensic League, is president of the senior department at Westminster Presbyterian Church and is secretary of the high school Physics Club. She plans a career in the field of journalism.

JOSEPH H. GERDIES, JR.

Mr. Gerdies, a 17-year-old senior at Harrisburg Catholic High, Harrisburg, Pa., is State Forensic champion in Shakespearean reading and has won many public speaking honors. Winner of the CYO talent contest in 1953, he has served as master of ceremonies for a teen-age radio program for the past 2 years. He is president of Catholic High student council as well as the Interscholastic Student Council of the Harrisburg District. Mr. Gerdies plans to follow his father's career in medicine.

JOEL H. CYPRUS

Mr. Cyprus, a 17-year-old senior at Wichita Falls High School, Wichita Falls, Tex., ranks first in a class of 427 students. He has served as vice president of the National Forensic League, is very active in all high school activities, and in 1953 was first-place winner in the statewide piano playing competition staged by the Pan-American Student Forum. He has set up a complete photo lab in his home and has built a robot which actually performs under remote control operation. He is one of 40 finalists in the Westinghouse Science Talent Search (Feb. 25–Mar. 1, 1954), and plans to major in nuclear physics at MIT.

Mr. SCHOEPPEL. It is very fitting and proper, inasmuch as these young people have been given the opportunity to come to the Capital City of the Nation and to visit its historic spots, that they should come here on the occasion of the observance of Washington's Birthday anniversary.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

Mr. KNOWLAND. Mr. President, I send to the desk a unanimous-consent request and ask that it be read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read the unanimous-consent request.

The legislative clerk read as follows:

Ordered, by unanimous consent, That on the calendar day of Wednesday, February 24, 1954, upon the resumption of the consideration of the joint resolution Senate Joint Resolution 1, the so-called Bricker amendment, debate on the pending amendment proposed by Mr. BRICKER, inserting on page 3, after line 9, a new section, be limited to not exceeding 2 hours, to be equally divided and controlled by Mr. BRICKER and Mr. KNOWLAND, respectively.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

Mr. MORSE. Mr. President, reserving the right to object—and I shall object—I wish to explain the reason for my objection.

The majority leader, in accordance with his usual habit of extending to all of his colleagues the utmost courtesy, discussed the subject with me this morning. I told him I desired to talk with a few of my colleagues in the Senate whom I usually consult on parliamentary matters. I have consulted with them.

The majority leader, not seeing me on the floor of the Senate, very kindly sent a page to the restaurant, where I was having lunch, and asked me to come to the Chamber so that he could offer his proposed unanimous-consent agreement.

I shall assume full responsibility for the objection. However, I wish to say that several of my colleagues on the floor of the Senate share the point of view I am now expressing. We feel that the country is greatly benefitting from this great historic debate and that it ought to run its regular course. We feel that when we are confronted with an issue which is so vital as is this issue to the welfare of the American people, there should be no limitation whatever placed upon the debate. When the debate has been concluded we should vote, and we should vote without any attempt at all to limit the debate in any way.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. KNOWLAND. Mr. President, for the information of the Senate, I desire to say that the Senate will probably remain in session this afternoon until around 5 o'clock. I had been hopeful, after discussing the subject with the Senator from Ohio [Mr. BRICKER], the author of the pending amendment, the Senator from Georgia [Mr. GEORGE], and other Senators, including the minority leader, that the Senate might adopt a unanimous-consent agreement to vote on the pending amendment tomorrow. Under the circumstances, it appears to me, in view of the number of speeches it has been indicated will be made today, we shall not get to a vote this afternoon. I wish to invite the attention of the Senate to the fact that it may be desired to have an evening session tomorrow and on Thursday, if necessary, in order to complete the debate on the unfinished business, the proposed constitutional amendment.

Therefore I hope all Senators will hold themselves in readiness for an evening session tomorrow and Thursday.

FLEXIBLE PRICE SUPPORTS

Mr. YOUNG. Mr. President, the proponents of flexible price supports often have claimed the so-called big farm operators wanted 90 percent supports and benefited most from that kind of a program. Mr. Tom Campbell, wheat king of Montana, makes nonsense of that kind of thinking in his statement carried by the Washington Post under date of Monday, February 22, 1954.

The headline of the article reads, "Montana Wheat King Urges Cut In Crop's Price Support." This is the position taken by most large producers. Tom Campbell and others of his kind could undoubtedly produce wheat for from a dollar to $1.25 a bushel, and make money. This is one way Secretary Benson can get efficient production, but to me it is a very undesirable way. Unusually large farmers all over the world have posed a real problem. Their large farms destroy the opportunity for small farmers.

A comparatively few farmers who produce on the scale of Tom Campbell could produce all the wheat needed in the United States. However, large holdings of land in Asia, Europe, and elsewhere throughout the world have made fertile ground for the spread of communism. It is in the farming areas of Asia, where the land is held by a few individuals, where communism is flourishing at its best.

About a year ago when I visited the Philippine Islands I noted that in the rich agricultural area of the Philippine Islands most of the land was owned by only a few individuals. In such a climate, the Huks, the local Communists, were doing very well indeed.

Large-scale farming operations tended to increase following the depression years of the thirties. The unprecedented farm foreclosures of that period made it possible for a few farmers to accumulate the land necessary for these huge operations. Another period of low prices, with the resultant bankruptcy which would follow, would make possible another new batch of bonanza wheat farmers like Tom Campbell.

While I think Mr. Campbell's statement was probably made to support the position of Secretary Benson on the question of price supports, it tends to discredit some of the statements made by Secretary Benson himself. Tom Campbell obviously is trying to scare the corn and hog farmers when he states in this article:

Wheat is worth $3.00 a bushel going through a hog, against $2.01 under 90-percent supports. We are going to raise more hogs.

This would imply that wheat is not being priced out of the feed and other markets as Secretary Benson contends. I do not think any corn and hog farmers need worry about any great amount of wheat being fed to hogs.

Mr. Campbell states that he is cutting his wheat acreage 25 percent to comply with the wheat quota act and that he is going to plant much of his diverted wheat acreage to flax, of which he states the United States does not grow enough. Mr. Campbell does not seem to be conversant with the facts. The estimated domestic consumption of flax for fiscal year 1953–54 is 32,800,000 bushels. The estimated production for the same period is 36,800,000 bushels. The average production a year for the 1948 to 1952 period was 40,600,000 bushels, and the average domestic consumption for the same years was 37,400,000 bushels.

On top of that, Mr. President, the Commodity Credit Corporation has a large supply of flax on hand. So, again, I think Mr. Tom Campbell is not conversant with the facts. He goes on to say that he may increase his production of barley. He will find tough competition from Canada that is pricewise.

I should like to read 2 or 3 paragraphs from a recent statement made by Mr. Ben C. McCabe, president of the International Elevator Co., which operates country elevators in the 4 upper Midwest States. He is also a past president of the Minneapolis Grain Exchange. He says:

In recent years the imports of oats, barley, and rye have rendered almost useless our support program for those grains. The executive branch of our Government under previous administrations failed to act under the law. Our present administration has temporized in meeting this vital problem.

Certainly Canada and Argentina would dislike to lose this market for their surplus oats, barley, and rye. But what kind of jackasses must they think we are to make loans to our producers of these grains at prices far above their market prices—freezing our own production out of consumptive use and importing a large part of our commercial requirements.

Reports show that as of December 15, there were 43,366,000 bushels of oats, and 32,226,000 bushels of barley under loan.

Our imports since July 1, 1953, to December 30, were—oats, 35,500,000 bushels; barley, 19,500,000 bushels.

Thus, Mr. President, we can easily see that imports are destroying a market we might have in that area for oats, barley, and rye.

Mr. President, I should like to read one more paragraph from Mr. McCabe's statement, which I think is very informative:

Let me also point out one other angle in this case. Freight rates on grain in western Canada are set by statute at 3 percent less than they were in 1897.

Mind you, Mr. President—1897.

These extremely low-transportation rates are provided by Parliament as one part of their farm program. As a result it costs the Canadian farmer at Coutts, Alberta, only 8⅓ cents per bushel to move his oats to Port Arthur. His neighbor across the border at Sweetgrass, Mont., has to pay freight of 24⅓ cents a bushel to move his oats to Duluth. This freight advantage of 16 cents a bushel compares to the import duty of only 4 cents a bushel. With this tremendous export subsidy, Canadian oats, barley, and rye will always undersell our domestic grains in the eastern market.

That is pretty tough competition for any American producer.

Tom Campbell exposes his ignorance of farm thinking when he states in this article, when speaking of Members of Congress:

How wrong they are to be opposing the proposed program of "flexible" supports. Some of these legislators from the rural areas haven't got the courage of their constituents. The farmers who are producing these surplus crops are a very intelligent group. More than half of them are college graduates. And they have a high sense of patriotism.

Mr. Campbell seems to imply that anyone who is not in favor of flexible price supports must be lacking in patriotism. All the farmers ask is a fair price for the things which they produce. If the Secretary of Agriculture or anyone else can point out any other way by which the farmers can get a fair price for their products, their products other than through 90 percent supports, I will abandon my opposition.

Mr. MANSFIELD. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG. I yield.

Mr. MANSFIELD. Did I hear the Senator mention the name of General Campbell?

Mr. YOUNG. That is corect.

Mr. MANSFIELD. He was in the news over the weekend. He leases 60,000 acres of land on the Crow Indian Reservation, and has come out quite definitely in favor of the Benson flexible price-support program, as I recall.

Mr. YOUNG. That is correct.

Mr. MANSFIELD. General Campbell happens to be a resident of the State of Montana by means of remote control, because he has huge holdings in New Mexico as well as in Montana, and he operates on a large scale. I doubt very much that he speaks for the farmers of the United States. I know he does not speak for the farmers of Montana when he expresses his sentiments with reference to the flexible price-support program.

I certainly think, as does the Senator from North Dakota, that any farmer who advocates 90 percent or even 100 percent of parity is just as patriotic as is any other individual. I think it comes with ill grace from a man of General Campbell's standing to make the statement which he made. It goes to show that he is carrying out his same old policy of promoting things and trying to get in good with each administration as it comes into power. I think the Senator from North Dakota is doing a good service in exposing him.

Mr. YOUNG. I thank the able Senator from Montana.

Most big operators would like to see more farmers frozen out so that they can increase their holdings. During the depression years land in my State was selling for as little as $300 or $400 a quarter-section. As a result, persons with money bought up sizable amounts of land, and they are now pretty large operators. Undoubtedly they can produce more cheaply. They usually have very few buildings. They oftentimes operate day and night. They buy good seed and they buy their machinery at cost. But when there is a large holding of land by one of the big operators, we usually have fewer schools in that area; and schools in my State account for about two-thirds of the taxes applied to land.

A poll presently being conducted by myself indicates very clearly that the farmers of my State are more than 8 to 1 in favor of 90-percent supports over flexible supports. The Farm Bureau of my State, which conducted a quite similar poll only a year ago, came to the same conclusion, and as a result, they switched their position from flexible supports to 90-percent supports. North Dakota is the second greatest wheat-producing State, and in the last election gave President Eisenhower the second highest percentage vote in the Nation.

Wheat farmers of Kansas, I understand, in a poll conducted by the Farm Bureau, also expressed themselves in favor of continuing 90-percent supports. This is the sentiment expressed in almost every farming State in the Nation where farmers had an opportunity to express themselves by ballot. Farmers' sentiment undoubtedly was responsible for the Grange, a great farm organization, last fall taking the position of at least temporarily continuing 90-percent supports.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an article entiled "World's Biggest Wheat Farm Owner Urges Cut in Crop's Price Support."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OPPOSES "WASTEFUL SURPLUSES"—WORLD'S BIGGEST WHEAT FARM OWNER URGES CUT IN CROP'S PRICE SUPPORT

(By Aubrey Graves)

The man who operates the biggest privately owned wheat farm on earth—a 60,000-acre spread at Hardin, Mont.—is in Washington to urge the Government to reduce

the price level at which it is supporting his crop.

The wheat king is 72-year-old Tom Campbell. His annual harvest has averaged 500,000 bushels in recent years. He thinks the present system of rigid high supports at 90 percent of parity, under which an 800-million-bushel wheat surplus has been piled up, is wrong. He believes that under present conditions the support level should be reduced to 75 percent.

"Seventy-five percent is a very liberal price for the commodity," he says. "The only way to get rid of these costly surpluses is to decrease the incentives for producing them."

Campbell has talked to President Eisenhower and Agriculture Secretary Ezra Taft Benson and has assured them of his support of their program which, he says would do just that. He is visiting also Congressmen from farming areas to tell them how wrong they are to be opposing the proposed program of flexible supports.

"Some of these legislators from the rural areas," he asserts, "haven't got the courage of their constituents." The farmers who are producing these surplus crops "are a very intelligent group. More than half of them are college graduates. And they have a high sense of patriotism."

Farmers as a whole understand, Campbell says, "that no program can survive long if it is not equally fair to consumer and producer." Farm bloc Senators and Representatives "make a mistake in not frankly recognizing it, too," he adds.

"I think the farmers would actually acclaim them if they should recognize the fact of these tremendous, wasteful surpluses, and the further fact that we can get rid of them only by reducing the incentive to produce," he contends.

This is not the first time Campbell has ventured to criticize the farm bloc in Congress. In 1942 he charged it did not truly reflect the interests of the Western grain growers. Burton K. Wheeler, then a Senator, retorted that his fellow Montanan was a promoter, not a farmer.

Campbell was born in a sod hut on what is now the campus of Montana's State University. He managed his family's 4,000 acres when he was 17. Last year's harvest was the 78th in the Campbell family. (His father harvested his first crop of wheat on his own land in North Dakota in 1876).

Campbell, while here, is trying to work out "some way to get the farmer's real feeling across to their Representatives." He thinks a "write and telegraph" plan would be helpful. He is urging the Department of Agriculture to use its radio facilities to encourage farmers to communicate with Washington.

Campbell says that under acreage allotments he and other Montana wheat growers are going to have to plant one-fourth less wheat this year. "We are not crying about this," he said. "The only way to grow less is to plant less."

What is he going to do with his diverted acres? He is going to plant them to flax, of which the United States does not grow enough, and to barley. Barley, he says, is good hog feed.

"Wheat is worth $3 a bushel going through a hog, against $2.01 under 90-percent supports. We are going to raise more hogs."

Campbell is the second largest individual land owner in the United States. Only the King Ranch in Texas is larger than his layout in Montana.

He seeds only half of his 60,000 acres each season. On some of his land, where the annual rainfall averages less than 16 inches, he gets 50 bushels to the acre. This is about three times the national average.

He says he does this by scientific farming. Studying his acres, he discovered that the wild plants in that partly arid land were widely spaced. "Nature grew just enough to be supported by the limited moisture," he explained. "So we took our cue from nature."

Instead of sowing the usual 60 pounds of wheat kernels to the acre, he sows from 15 to 18 pounds. During the "rest" he gives his acres every other year, he keeps down weeds and permits only those plants that provide natural fertilizer to grow.

He learned another profitable trick. Instead of planting his rows 6 or 7 inches apart, he drills them 14 inches apart, in wide contours, leaving valleys 9 inches deep between. These valleys catch the snow and rain and prevent undue runoff.

The Montanan is a great believer in soil conservation. He said he was worried, at first, that abolishing the seven regional offices of the Soil Conservation Service might be a costly mistake. He is satisfied now that there will be just as much conservation as before, or more.

He said President Eisenhower had told him that just as Churchill had not become Prime Minister to dissolve the Commonwealth, neither had he become President to dissipate our natural resources.

Campbell feels that if a landowner is not willing to carry out practices to prevent erosion and other soil wastage, the Government ought to have the right to carry out those practices and then assess the cost of them against the land.

"We do not own the land in any real sense," he maintains, "we are just the custodians of it. We have no right not to conserve it or to pass it along to future generation less fertile and productive than it was when we acquired it."

Campbell is not as sold on the Administration's power policies as he is its farm program. He is a little worried about a tendency to turn things over to private industry. "We can't let our resources get out of the hands of the people," he declares.

He would much prefer to see the granting of 99-year leases. "The Empire State Building is built on ground leased for 99 years. Ninety-nine years may seem long but actually, it is just a little scratch on the scroll of time."

"And at the end of 99 years, the resources will still belong to the people."

TARIFFS AND TRADE POLICY

Mr. BUSH. Mr. President, the Report of the Commission on Foreign Economic Policy, on which I had the privilege of serving, is now a subject of some debate throughout the country. Within the next few weeks, the Congress will receive from the President of the United States his recommendations in this highly important field. After the receipt of his message, debate on the issue of the future course of our trade relations with the world will be intensified.

Although the Commission made many recommendations in other important fields, public interest at the present time has centered largely on its proposals in regard to tariffs and trade policy. I have observed, in reviewing comment in the press and elsewhere, that there has been some misunderstanding of the scope of the Commission's recommendations in this area.

There is a general tendency in these times to attempt to simplify extremely complicated issues. So, in discussion of the Randall Commission's proposals in regard to the trade agreements program and the tariff, there has been a tendency to picture the Commission as divided by a conflict between "protectionists," on the one hand, and "free traders," on the other.

This has obscured the very important safeguards which the majority of the Commission insisted must be observed if the Trade Agreements Act were to be extended and the President's powers in tariff negotiations were to be broadened.

Mr. President, I shall not now take the time of the Senate to review in detail the Commission's recommendations. But I should like to refute one statement that is frequently made by some critics of the report. It has been repeatedly charged that the Commission's tariff proposals would result in the flooding of our markets by goods produced by low-paid foreign labor, displacing domestic products and creating widespread unemployment and distress.

Nothing could be further from the truth. In addition to carefully circumscribing the extent to which the President could reduce tariffs, the Commission insisted on retention of the "peril point" and "escape clause" procedures of the Trade Agreements Act which are designed, first, to forestall injury to domestic industry and its workers in the negotiation of new trade agreements and, second, to remedy such injury should it occur as a result of agreements made in the past.

In discussing the question of wage levels here and abroad, the Commission made this statement, on page 52 of its report:

> One of the essential strengths of our entire economy is the vitality and diversification of our industry. While no clear-cut lines of demarcation can be drawn without overlapping, the submissions made to the Commission indicate that our industry falls into three broad classes.
>
> The first class is that type of industry, generally referred to, with more or less inaccuracy, as the mass production industries in which for various reasons, methods or processes, size of markets, machinery, or other causes, unit labor costs are generally low here as compared with other countries and little or no problem exists with respect to imports.
>
> The second class is one in which machinery and production facilities, generally speaking, are identical or at least similar here and abroad. In some of these the same number of man-hours goes into a unit of goods here and abroad; in others the use of labor is less efficient abroad than here and there may be other offsetting cost factors. Whether or not imports may be seriously damaging is dependent on factors which vary industry by industry, but in at least some of these the labor factor is the controlling element.
>
> The third class is the so-called handicraft type where machinery is a minor element. Here quite obviously, with labor the major cost, imports can be not merely serious but destructive to the domestic industry without a tariff.
>
> Yet all three classes or types of industry are a necessary part of our total economy, and in all of their variations they must pay wages generally in harmony with the general level of wages throughout the country. We would not have it otherwise; and we do not wish it to happen that the wage level in the third class and in some of the second class should be determined or seriously affected by the wage levels abroad in competitive industries.
>
> What we have said does not single out an industry or industries for specific recommendation, but should make clear that a policy of gradualness and close consideration of the effects of action already taken is in the national interest at this time.

The Commission recommended elsewhere in the report that our negotiators refuse to grant tariff concessions on products made by workers receiving wages which are substandard in the exporting country.

Representative JOHN M. VORYS, of Ohio, and I felt that this recommendation did not meet the problem completely. While it may be desirable to raise labor standards abroad, and the pressure our negotiators can bring to bear by refusing to recognize substandard wages in other countries may help to accomplish that purpose, the pressing problem we face is to protect the living standards of the American workingman and his family. For that reason, Mr. VORYS and I joined in the following supplementary statement, which appears on page 63 of the report:

We believe that in negotiating trade agreements, our negotiators should consider not only substandard and depressed wage levels, as described in the Commission's Report, but also wage differentials, in order to protect American labor.

I may say parenthetically that there is quite a distinction between substandard wage levels, as mentioned in the report, and what are called in the United States "wage differentials." The Commission pointed out that a standard wage level in a given country might be, for example, 50 cents an hour, and that if the wage paid in a given industry was 40 cents an hour, that wage was substandard.

But what we are talking about is the wage differential between whatever the wage level is abroad and the wage level in the United States, which in the same industry might be $1.80 an hour.

So what is being said is that our tariff negotiators should take into account the differential between the wage paid in a country that wishes to export to the United States and the standard wage level in the same industry in the United States.

We recognized the difficulty involved in using wage differentials as a hard and fast standard in setting tariff rates exactly, but we nevertheless were convinced that it was such an important factor that it must always be kept in mind by our negotiators.

Mr. President, in studying the trade-agreements program, I became convinced that the act of 1934, as amended to include the peril point and escape clause procedures, provides a mechanism by which we can select those imports needed to benefit and strengthen our economy—and there are many of them—and at the same time control the flow of competitive products from abroad so as to prevent injury to our domestic industries and their workers.

We are all aware of the many complaints which have been made concerning the administration of the trade-agreements program in the past.

I may say, parenthetically again, that as much depends on the administration of an act as on what the act itself is. I shall always remember a statement made to me by the late Senator Taft in New Haven before the 1948 election. The conversation took place during the 80th Congress. Senator Taft said the Wagner Act was not such a bad act, but it was the administration of the act which made it impossible to live with it. So I say now that the administration of the trade-agreements program is perhaps what has caused some of the criticism of it.

We must keep in mind, however, that the Tariff Commission has been reconstituted, and there are grounds for belief that it will be more aware of the problems of domestic industries and the men and women who man their machines, than apparently has been the case in former years.

The question of preventing harm to our industries and their labor force arises also at the point of negotiating trade agreements which involve tariff concessions on our part. I have recently written to the Secretary of State inviting his attention to the Commission's recommendations on this particular problem. My letter informed Mr. Dulles of the widespread feeling that there has been too little reciprocity in the so-called reciprocal trade-agreements program. In blunt terms, many believe that Uncle Sam at times has been a "sucker" at the conference table.

Mr. President, I shall now read my letter to the Secretary of State, for the information of the Senate and of others who read the RECORD:

MY DEAR MR. SECRETARY: As a member of the Commission on Foreign Economic Policy, I have received many complaints about the past administration of the trade agreements program. These complaints have come from business leaders, not only in my own State of Connecticut but throughout the country, and from certain trade union officials.

One complaint in particular I am taking the liberty of bringing to your attention at this time. It is the often-voiced criticism that representatives of the State Department, in negotiating trade agreements with other nations, have been insufficiently aware of the reaction upon domestic industries and their workers, should proposed changes in tariff rates be put into effect. It is claimed that our negotiators have gone to the bargaining table ill-equipped with economic facts and figures. There is also a widespread feeling that the Department's negotiators, if not actually hostile to business, have been lukewarm in their advocacy of this country's legitimate economic interests.

In contrast, it is alleged, negotiators for other nations have been well-advised of the economic consequences of proposed tariff changes, and have been aggressive in driving the best possible bargain for their home industries.

In this connection, your attention is invited to the following two sentences from the Randall Commission's Report, which appear at the bottom of page 49 and the top of page 50:

"In the course of tariff negotiations, great care should be exercised in the determination of the principal supplier or suppliers of particular articles subject to negotiation as well as in identifying the lowest cost source of prospective foreign competition. Also, there should be closer consultation with domestic producers on technical problems without permitting them to participate in actual negotiations."

In my view the Commission's recommendation contemplates that when tariff negotiations are conducted abroad, industry representatives should accompany our State Department negotiators to the site of the conference. While it may be desirable to exclude domestic producers from the conference table itself, their expert knowledge of industry conditions would be of great benefit to those who bargain for us, and should be readily available.

In other words, what I am saying there is that we should have expert knowledge at the point of trading, at the same time, at the same hotel, if you will, not at the conference table; but there should be some experts there who really know what the effects of tariffs may be upon American industry and upon the American workman, so that our negotiators can be well advised and act accordingly.

I continue with the letter:

I sincerely hope, Mr. Secretary, that you will give careful consideration to these recommendations of the Commission. It is my belief that the Randall Commission's recommendations as to the trade-agreements program, would have much more support, both in the Congress and the business community, if there were greater confidence that the State Department would conduct tariff negotiations in the future with more realism than apparently has existed in the past.

As you know, Great Britain's diplomatic representatives have never hesitated to fight for her economic interests at the conference table. There is no reason why our own diplomats should be hesitant or shamefaced in seeking to advance the economic interests of the United States. A bargain fair to both sides requires equal zeal on the part of both bargainers. If the facts as to administration of the trade-agreements program in the past, as represented to me, are correct, we will need more traders in the Yankee tradition of David Harum on our side of the conference table if new trade-agreement negotiations are undertaken.

With warm personal regards, I am,

Cordially yours,

PRESCOTT BUSH,
United States Senator.

Mr. President, I hope that in the coming weeks Members of the Congress will find the time to study carefully the Randall Commission's report, not the press accounts of it, which I do not think adequately cover the scope of the report; but they should carefully study the report itself, which is a very concise, carefully worked-out document. The Commission had, of necessity, to face problems which vitally concern the Nation.

Acceptable solutions to those problems must be found if we are to retain the friendship of our allies, win the cold war against communism, and survive as a free people. The solutions which the Randall Commission has proposed may not be the only possible solutions. I have no doubt that the wisdom and experience of Members of the Congress may suggest alternatives. It is my belief, however, that the Commission's report has laid the essential foundation from which we can build to reach the solutions we must reach, or else suffer a crippling of our cold-war defenses.

As the Commission has said in the introduction to its report:

The policies pursued and the actions taken by the United States in respect to foreign economic policy profoundly influence the destinies of all the peoples of the free world.

Our Nation bears an awesome responsibility of world leadership. Though not of our seeking, it is one that we may be fated to bear for a long time to come. If we bear it with understanding, courage, and honor, we can make incalculable contributions to the cause of peace and the advancement of human welfare.

Mr. President, I sincerely trust that Congress, in acting upon the recommendations which the President of the United States will soon make to us on foreign economic policy, will make it possible for the Nation to discharge that responsibility of world leadership.

Mr. President, I have here a clipping from the Washington Star written by that estimable writer, Mr. Gould Lincoln, which begins as follows:

A major battle is building up over proposals to extend the Reciprocal Trade Agreements Act.

I ask unanimous consent that at the conclusion of my remarks the article may be printed in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star of February 23, 1954]

BIG BATTLE IN MAKING OVER RECIPROCAL TRADE—CONGRESS WARNED AGAINST RETURN TO SMOOT-HAWLEY

(By Gould Lincoln)

A major battle is building up over proposals to extend the Reciprocal Trade Agreements Act. It is likely to burst into full and open view as soon as President Eisenhower submits to Congress his own proposals regarding foreign trade and the tariff. This he is expected to do in March. The report of the Randall Commission on Foreign Economic Policy, designed to aid the President in his recommendations, has already been made public.

In general, this report proposes a 3-year extension of the life of the Trade Agreements Act, with the peril points, escape clause, and other safeguards. The President, it is recommended, may suspend or disregard these provisions if he deems it wise in the interest of the country's economy.

Well-heeled organizations on both sides of the tariffs issue are already in the field and working hard on individual Members of Congress, as well as conducting an educational campaign to obtain popular support. The Trade Agreements Act is due to expire June 12, unless congressional action keeps it alive. The opponents of the law as it now operates are preparing a bill which would curtail the present trade agreements program. On the other side, the supporters of the trade agreements system, who generally represent those calling for freer trade and a further elimination of trade barriers, are preparing to fight for Presidential recommendations for an extension of the act.

AUTHORITY DELEGATED NOW

One of the proposals of the Anti-Trade Agreements Act is that the act be allowed to die and that Congress take back its responsibility for fixing tariffs, which is now delegated with certain limitations to the United States Tariff Commission and the State Department which negotiates the trade agreements. This would be turning the clock back with a vengeance. It has been 20-odd years since Congress passed its last general tariff act, the Smoot-Hawley Act, during the Hoover administration. This same tariff law would be in effect immediately on the expiration of the Trade Agreements Act, though many of the trade agreements to which this country is presently a party would continue to run for 6 months or more.

When the Smoot-Hawley Act was put through, American industries claimed that they were in danger of competition with a flood of foreign imports made with cheap labor. The effect of the act was to raise the trade barriers and to lessen foreign imports, making it more difficult than ever for the nations debtor to the United States to sell goods and so pay their debts. Further, the act brought about retaliatory measures against American exports.

Today, fears of a lessening domestic market, with attendant economic recession, have brought an increased demand for higher tariff duties as a protection against a dumping of foreign products into this country at prices which would ruin American producers.

NEED LONG-RANGE POLICY

The administration was able to get a 1-year extension of the Trade Agreements Act last year, so that the President and his advisers would have an opportunity to explore the whole subject of foreign trade and come up with a program. The time has come to adopt a long-range policy, and with it has come greater demands for higher tariff protection from many American industries. It is suggested that in the end, however, the administration may have to settle for a 1-year extension of the act for a second time. Last year a group of oil producers fought hard for a quota limitation on residual oil imports. They were joined by several other industries which wished higher tariff protection. They are planning now to renew the battle.

On the other side are a number of important American industries which want trade barriers lowered—freer trade. Their contention is that this country must have a maximum foreign trade in order to help care for the great production of its industries. Obviously, trade is not a one-way street, and there must be imports as well as exports. An expanded trade can become vital to prosperity in the United States, they say.

A return to general tariff-making legislation, as favored by some of the antitrade agreements group, could lead to logrolling legislation in Congress on a major scale—where industries and their representatives in Congress pooled their strength to obtain their individual ends. For 20 years that kind of thing has been avoided. Such legislation helped ruin the Republican administration under Taft and Hoover, and could do the same for the Eisenhower administration.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

THE VOTE ON THE BRICKER AMENDMENT

Mr. BRICKER. Mr. President, three amendments to the committee text for Senate Joint Resolution 1 have been adopted. Those amendments are acceptable to the administration. They are acceptable to me. Standing alone, however, they do not adequately protect the American people against abuse of the power to make treaties and executive agreements.

My amendment to the committee text is now before the Senate. This amendment, combined with the three amendments already adopted, will achieve in large measure the original objectives of Senate Joint Resolution 1.

Some of the cosponsors of Senate Joint Resolution 1 were disturbed by the so-called "which" clause in the text reported by the Senate Judiciary Committee. That clause did not appear in Senate Joint Resolution 1, as originally introduced. That clause was contained in section 2 of the committee text, reading as follows:

A treaty shall become effective as internal law in the United States only through legislation which would be valid in the absence of treaty.

The "which" clause has been eliminated from the modified text, but without lessening materially the value of the proposed constitutional amendment. Adoption of the modified text of Senate Joint Resolution 1 will vindicate the efforts of patriotic organizations and persons who have done so much to alert the public to the danger of treaty law. The new language will give added constitutional protection to personal rights, to States' rights, and to the independence of our great Nation.

My proposed amendment to the committee text reads as follows:

SEC. 3. A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress.

If this language is added to the three perfecting amendments already adopted, we shall have before us a proposed constitutional amendment reading as follows:

SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

SEC. 2. Clause 2 of article VI of the Constitution of the United States is hereby amended by adding at the end thereof: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."

SEC. 3. A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress.

SEC. 4. On the question of advising and consenting to the ratification of a treaty the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate.

Standing alone, sections 1, 2, and 4 do not provide adequate protection.

My position can hardly be called an uncompromising one. The administration objected most strenuously to the "which" clause and to the section of the committee text confirming the power of Congress to regulate executive agreements having external force and effect.

Those provisions have been eliminated from the modified text.

My amendment to the committee text retains two essential features of the original joint resolution. First, it helps insure that the American people will be governed by laws written by their own elected representatives, rather than by treaty provisions, the meaning of which is often impossible to ascertain at the time of Senate consent to ratification.

Second, my amendment to the committee text will prevent a President of the United States from making domestic law by international agreements not approved by either House of Congress. I cannot describe as adequate any constitutional amendment that does not contain those two essential safeguards. Accordingly, the vote on the pending amendment will be justly interpreted as a vote for or against the substance of the Bricker amendment.

Most of the supporters of Senate Joint Resolution 1 have understood the political necessity of modifying language to secure favorable action in the Senate. At the same time, they know that certain basic principles in the so-called Bricker amendment cannot be compromised. Any attempt to sell a watered-down substitute under that label could only be described as an effort to defeat its fundamental purpose.

Many lay supporters of the so-called Bricker amendment are not much concerned with constitutional niceties. Some are impatient with what they conceive to be legal hairsplitting. Nevertheless, they know there is a loophole in the Constitution. They know that attempts have been made to exploit the loophole at the expense of individual liberty and American independence. The American people want that loophole plugged. They do not want to hamstring the President. No one does. They do want to hamstring the extreme internationalists. To many Americans, the so-called Bricker amendment symbolizes effective protection against designs to undermine the sovereignty and the Constitution of the United States by treaty or by executive agreement.

Much has been said about undermining the sovereignty of our country and relinquishing some of our sovereignty. Yesterday we listened to the reading of the message given by General Washington to the people of the United States in his Farewell Address. That was a plea for the maintenance of the sovereignty of the United States. Every Senator ought to know and remember, and keep ever before him, the idea that when we give up any part of our sovereignty, to that degree we give up independence. The Revolution which Washington led was to secure sovereignty, and his service as President was directed toward the end of maintaining our sovereignty, and thereby the independence of our country.

To keep faith with those who have supported me in this fight, I resolved long ago to labor to the end that an effective amendment to preserve our fundamental constitutional concepts be adopted. In my judgment, the so-called George amendment is inadequate to that end. It is good so far as it goes. It does not go far enough. For example, there is nothing in the George amendment to insure that laws for the American people will be made by their own elected representatives rather than by nonelected delegates to the United Nations and its satellite agencies.

Accordingly, the pending amendment gives every Senator an opportunity to be recorded for or against what is popularly known as the Bricker amendment. I hope that the record of this vote will receive wide publicity. No candidate for reelection to this body should be judged solely by his vote on one single issue, but where an issue is of paramount importance the vote should be publicized by all available means.

My amendment to the committee text contains no new substantive language. The substantive portion of my amendment has been before the Senate and the people for more than 2 years. It has twice been the subject of lengthy hearings before the Senate Judiciary Committee.

My amendment to the committee text would make treaties and executive agreements nonself-executing, but with power in the Senate to make an exception to this rule in the case of treaties, if it is so desired by a two-thirds vote. The amendment provides that a treaty shall become effective as internal law in the United States only through legislation by the Congress, unless the Senate by affirmative action provides otherwise. I do not believe that the administration has any serious objection to make treaties nonself-executing. That is the rule in almost every other country. If the administration does have any objection to this feature of the amendment, it has not been disclosed to me or to the Senate.

I do not believe that I violate any confidence when I say that during 6 months of negotiation with administration leaders we were usually able to agree on the general principle that treaties should become effective as internal law only through legislation by the Congress. However, final agreement on language was never concluded because of one objection on my part and one objection on the part of the Secretary of State. Both of those objections have been overcome in the revised text.

My objection to providing that treaties should become effective as internal law only through legislation by the Congress stemmed from a desire to protect the reserved powers of the States. Many treaties contain provisions making them effective only to the extent permitted by the laws of the States, provinces, or other political subdivisions. Many of the treaties of friendship and commerce approved by the Senate last year contain such a provision. Naturally, I could not agree to any constitutional amendment that prevented the President and the Senate from showing a decent respect for States' rights in treatymaking. That difficulty, however, has been overcome in the revised text by permitting the Senate to approve a treaty calling for State rather than congressional legislation.

The State Department objected to making all treaties non-self-executing as internal law on the ground that the effective date of some treaties might be unduly or unnecessarily delayed thereby. That objection has also been overcome. In appropriate cases, the Senate by a two-thirds vote would be able to make treaties immediately effective as internal law.

The non-self-executing feature of my amendment does not alter in the slightest degree the traditional separation of power as between the legislative, executive, and judicial branches of Government. It does not affect the existing powers of the President. It does not upset the balance of power as between Federal and State Governments. It does not surrender Senate prerogatives to the House of Representatives. I do not see how there can be any valid objection to making treaties non-self-executing as internal law subject to power in the Senate to make them immediately effective.

Our treaty supremacy clause is unique in that it permits the treatymaking agency to legislate with respect to purely domestic matters. It is coextensive with the legislative power of the Congress and that of State legislatures. In almost every other country of the world treaties do not become domestic law until implemented by the appropriate legislative bodies.

When Secretary Dulles appeared before the Senate Judiciary Committee, he contended that this proposal of mine was considered and rejected by the Constitutional Convention of 1787. He referred to the motion of Gouverneur Morris that no treaty should be binding "which is not ratified as a law." Morris' motion was voted down 8 to 1 for reasons that are as valid today as they were then. His proposal called for legislative validation of all treaties. The pending proposal is limited to those treaties intended to become effective as internal law.

It has been my position from the very beginning that we should not in this amendment attempt to interfere with the President's international responsibilities or the treatymaking power of the President and two-thirds of the Senate in foreign affairs, but only to prevent the invasion of the power of Congress under the Constitution to make the internal laws of our country and for our people.

To understand why Morris' motion was rejected and why my amendment should be adopted, we need only to inquire why the Senate was chosen as the President's partner in treatymaking. Throughout the debates in the Constitutional Convention there are references to the need for secrecy in concluding some international agreements. Being smaller in size and therefore more likely to keep matters in confidence, the Senate was selected as the President's treaty partner. Even today, the Senate can act on treaties in closed executive session. How can anyone seriously maintain that the framers of the Constitution intended to give the President and the Senate power to make internal law by Star Chamber procedure?

On the contrary, all available evidence suggests that the treatymaking power was never intended to be an internal legislative power. For example, article I, section 1, vests all legislative power in the Congress. That is the only time the word "all" is used in the Constitution. That article explodes the assumption that a part of the legislative power was intended to be conferred on the President and Senate alone. In addition, Hamilton expressly denied any domestic lawmaking function of treaties in the Federalist, No. 75, when he said:

> The power of making treaties * * * relates neither to the execution of the subsisting laws, nor to the enaction of new ones * * *. Its objects are contracts with foreign nations, which have the force of law, but derive it from the obligations of good faith. They are not rules prescribed by the sovereign to the subject, but agreements between sovereign and sovereign.

Of course, the supremacy clause, making treaties the supreme law of the land, did operate to give treaties of the United States a domestic law aspect, although its limited purpose was to override the Revolutionary War debt legislation of the States. As a result it has always been difficult, and at times impossible, to determine to what extent treaties make internal law. For example, in 1833 the Supreme Court held a treaty to be self-executing, although only 4 years before the same treaty had been held by the court to be ineffective as domestic law without legislation. Compare *United States* v. *Percheman* (7 Pet. 51 (U. S. 1533)) with *Foster* v. *Neilson* (2 Pet. 253 (U. S. 1829)).

Today, the internal law effect of treaties is more unpredictable than it was a century ago.

In approving some treaties the Senate indulges in the dangerous pastime of writing an unknown and unknowable law of the land. That is no reflection on the ability of the Senate or its Foreign Relations Committee. Consider, for example, articles 55 and 56 of the U. N. Charter, about which there has been much discussion in this debate. Senators who served in the 79th Congress will recall the solemn assurances to the effect that those human-rights articles were mere statements of high aspiration and purpose, and without legal significance. As a practical matter, it was impossible for the Senate to write a reservation to the U. N. Charter.

Since 1945, the ambiguous language of articles 55 and 56 has been used as a basis for invalidating local law by a California intermediate court, which was later reversed, by a judge in Idaho, and by four Justices of the Supreme Court—*Oyama* v. *California* (332 U. S. 633 (1948) (concurring opinion)).

Nine years after adherence to the U. N. Charter we still do not know whether or not articles 55 and 56 supersede thousands of Federal and State laws.

The danger represented by articles 55 and 56 of the U. N. Charter will reappear time and time again in various forms. There is no reason why the Senate should remain helpless in the face of a demonstrated danger. The Senate's power of reservation works well possibly on bilateral treaties. Today, the multilateral treaty is the rule rather than the exception. With scores of nations involved, the use of precise language and an unrestricted right of reservation is virtually impossible.

For example, there is now before the Senate Foreign Relations Committee the Universal Copyright Convention. Article 20 expressly denies the right to attach a reservation to this treaty.

Amendments to the U. N. Charter may come before the Senate several years from now. The language is not likely to be distinguished for clarity any more than the language of the original charter. Reservations will be impossible.

Why should the Senate be forced to approve treaties with a prayer and a vain hope that the courts will agree with its guess as to the impact on domestic law, or to reject them because under one possible construction they would be dangerous to domestic rights? These difficulties are avoided under the language of my amendment to the committee text.

The report of the Senate Judiciary Committee contains an excellent discussion of the need to make treaties non-self-executing as internal law. That statement will be found at pages 8 to 13 of the report.

Moreover, a memorandum written by Dr. Edward S. Corwin on May 5, 1953, states that a considerable case can be made for making both treaties and executive agreements non-self-executing as domestic law. In fairness to Dr. Corwin, two facts should be noted. First, he suggests that the danger may not require the drastic remedy of a constitutional amendment. Secondly, Dr. Corwin wrote with some objectivity, not being at that time a cochairman of the misnamed Committee for Defense of the Constitution by Preserving the Treaty Power. Here is what Dr. Corwin said less than a year ago:

> Later, the Court set up the distinction between "self-executing" treaty provisions, which it held to be enforcible by courts, and "executory" provisions, which are addressed to the political departments and require to be put into effect by them. (*Foster* v. *Neilson* (2 Pet. 253; 1829).) The distinction has never been sufficiently clarified to permit prediction as to its practical application. This still remains the Supreme Court's guess.
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> The comments on April 7 on the resolution by Secretary of State Dulles and Attorney General Brownell are, in my opinion, sufficient to dispose of sections 1, 2, and 4 of the proposed amendment. As to section 3, the merits of the question are less clear. Undoubtedly, a considerable case can be made for it. Adoption of it would bring our practice into line with that of other democratic governments. Treaties of Great Britain, for example, "which, for their enforcement by British courts of law, require some addition to, or alteration of the existing law, cannot be carried into effect without legislation." (Wade and Phillips, Constitutional Law, 205 (Longmans, 1931).) Treaties of the United States are, it is true, already subject to repeal as law of the land by Congress at its option. (*Head Money* cases (112 U. S. 580, 598–599 (1884)); *The Cherokee Tobacco* (11) Wall. 616 (1871)); *Botiller* v. *Dominguez* (130 U. S. 238 (1889)); *Fong Yue Ting* v. *United States* (149 U. S. 698, 721 (1893)); *La Abra Silver Mining Co.* v. *United States* (175 U. S. 423, 460 (1899).) Such acts of repeal, however, furnish legitimate ground for complaint by the other party or parties to the treaty affected. *Head Money* cases, *supra*. It might be well to notify the world beforehand of this limitation to the effectiveness of treaties of the United States, even though the same limitation exists in the case of treaties of certain other countries. And it might be well to extend the same rule to executive agreements. Respecting these Secretary Dulles makes this statement: "The danger to the Nation from agreements not submitted to the Senate as treaties or to the Congress for validation cannot be great because, without either Senate or congressional action, these agreements cannot constitutionally become law of the land." But this, evidently, is not the theory of the Supreme Court. In *United States* v. *Belmont* (301 U. S. 324; 1937) and *United States* v. *Pink* (315 U. S. 203; 1942) the Court took cognizance of the Hull-Litvinov agreement of 1933, and interpreted it as effecting a confiscation by the Soviet Government of assets of the New York branch of a Russian insurance company. In other words, a U. S. S. R. decree of confiscation was held to be operative upon property located in the United States.

That is the end of Dr. Corwin's discussion. He has been quoted extensively in the hearings, and I thought it might be well for the Senate to have his complete thinking on the amendment which is now before the Senate.

My amendment to the committee text would also untie the hands of the Senate in another respect. By virtue of the rule in *Missouri* v. *Holland* (252 U. S. 416 (1920)), the Senate cannot by way of reservation to a treaty deny to the whole Congress its power to implement a treaty irrespective of the constitutionally reserved powers of the States. Thus, a Federal-State clause may relieve the United States of its international obligation to make a treaty completely effective throughout the United States. However, if Congress wishes to utilize its full power under Missouri against Holland, no Federal-State clause appended to the treaty by the Senate can prevent such action. There is no rhyme or reason why the Senate of the United States should be incapable of protecting the reserved powers of the States from the force of treaty law if that is its desire.

There is no way by which that power can be given to the Senate except by the adoption of my amendment to the text as already perfected.

Mr. KUCHEL. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield to the Senator from California.

Mr. KUCHEL. I wish to be sure that I understand the Senator's interpretation of the language of his amendment to the committee amendment. The doctrine of Missouri against Holland, under which the authority of Congress is enlarged by the terms of a treaty, would, I understand the Senator from Ohio to say, be continued in the present amendment. The Congress consequently, under the Senator's amendment, could legislate, by reason of the power flowing from a treaty. Is that correct?

Mr. BRICKER. That is correct today even if we tried to put in a Federal-State clause. That handicap would not exist under my amendment, except as the

Senate may make it so. The Senate could make a treaty immediately effective, but the treaty would not become domestic law until so enacted by act of Congress, unless the Senate desired otherwise.

Mr. KUCHEL. I wish to say to the Senator from Ohio what I am sure he already knows, and that is that I am not in favor of international compacts becoming effective as internal law in the absence of congressional approval. However, the question occurred to me, as the Senator from Ohio was discussing the case of Missouri against Holland. The language therein indicates that the right of the Congress would be restricted unless the Senate provided otherwise in ratifying a treaty.

Mr. BRICKER. No. A treaty would not become domestic law until made so by act of Congress, except that the Senate, in ratification, could make it immediately effective or self-executing, or effective through State legislation.

Mr. KUCHEL. In other words, the doctrine of Missouri against Holland is continued under the Senator's pending amendment in all those instances where the Congress sees fit to legislate in the field of domestic law.

Mr. BRICKER. The Senator from California is correct.

This problem is explained on page 1029 of the record of hearings by Mr. Carl B. Rix, past president of the American Bar Association. On page 621 of the hearings, a report written by Mr. John W. Davis and four other opponents of any treaty-control amendment agrees with Mr. Rix. That report concludes that a Federal-State clause in the U. N. Human Rights Covenants might be ineffective to prevent Congress from gaining power to fully implement the covenants.

Mr. President, this is the very heart, I think, of the entire amendment as it was originally conceived to protect the rights of the people of America from legislation by the President and two-thirds of the Senate or by an executive agreement alone, oftentimes made in secret.

I wish to advise the Senate at this time that I have not heard from the State Department as to what the 200 executive agreements might be to which the Attorney General referred in his brief on certiorari in the Guy W. Capps case. I hope to hear at an early date as to what they might be. But if it is a fact that there are now 200 executive agreements entered into by the President of the United States, making laws for the people of the United States about which the Congress and the people know nothing at the present time, it is impossible to have government by the consent of the governed under circumstances of that kind. This is a government, presumably, by consent of the governed. With reference to the ratification of a treaty, if it becomes self-executing, the people may not know until many years in the future what laws are affected or might be affected by its ratification.

We want to bring treaties and executive agreements within the purview of the Constitution, to make them subordinate to it, not above it, so that the American people may know what their rights are, that their domestic legislation is not only pursuant to the terms of the Constitution, but is in accordance with it, and not in conflict with it; and that legislation affecting them is enacted by the Congress of the United States which, under the Constitution, is the source of all legislative authority. That was the case until the distortion of the treaty-making clause in 1920 by the Supreme Court in the Holland case and in the Pink case with reference to executive agreements. I cannot overemphasize the importance of this particular amendment.

Mr. MAYBANK. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. MAYBANK. I understood the Senator to state that there are some 200 such executive agreements.

Mr. BRICKER. That is correct.

Mr. MAYBANK. I should like the Senator to repeat, in no uncertain terms, his statement with reference to that matter, so that the people of the United States may know how the country is affected by executive agreements. If the Senator will repeat that portion of his statement regarding 200 executive agreements which have been made, I shall appreciate it.

Mr. BRICKER. The Attorney General, in his brief on certiorari in the Supreme Court in the Capps case, stated that 200 agreements might be invalidated under the circuit court of appeals decision. He said the State Department told him that there were 200 such executive agreements.

Mr. MAYBANK. Does the Senator know whether the Interior Department or any other department have such agreements, other than the State Department?

Mr. BRICKER. I have no idea, and no one else has. I am now trying to find out what are the 200 agreements to which reference has been made. The majority leader asked for an analysis of all executive agreements which affect internal law, and I do not think he has received any reply.

Mr. MAYBANK. I thank the Senator from Ohio. The only information the Senator has with reference to the matter is what the Attorney General has stated. Is that correct?

Mr. BRICKER. That is correct. It referred only to the State Department. There may be other instances. I know of an agreement with regard to international aviation which changed all the terms used by our aviators in this country to an international language.

Mr. MAYBANK. The Senator is correct. I know of that case myself.

Mr. SALTONSTALL. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. SALTONSTALL. Does not the essence of the difference of opinion turn on the question whether treaties or international agreements which are in conflict with the Constitution shall not be made, as opposed to the statement that where internal law is involved, the Congress must act affirmatively?

Mr. BRICKER. There are two sections to the proposal; yes.

Mr. SALTONSTALL. Is not that the essence of the difference of opinion, so that the question comes down to whether an agreement is in conflict with the Constitution—and, the further words, "in pursuance of the Constitution," are involved—as opposed to affirmative action by the Congress, as the Senator has so ably stated?

Mr. BRICKER. That is the essence of the difference of opinion, I can assure the Senator from Massachusetts. I believe executive agreements and treaties should not become domestic law unless there is an act of Congress covering the situation. There was never intended by the Founding Fathers. They regarded treaties made between one nation and another nation as instruments dealing with matters of genuine international concern. They depended upon the good will of the country with whom we had a treaty to carry it out.

There are those who contend that Congress has the power to change the domestic application of treaties. I think the proponents of such a position as that are on untenable ground. Treaties become the law of the land, and we cannot change them after they are once binding. Our integrity is at stake in a situation of that kind. Our obligations are firmly fixed, and we should not violate our international obligations. We want to be on a parity with the other nations of the world. We want Congress to take a look at an agreement before it becomes domestic law, as is done in Canada and, with minor exceptions, in practically all the other nations of the world. Before a treaty goes into effect, there has to be positive action by the legislative power.

Mr. SALTONSTALL. I appreciate the Senator's statement, because as I listened to the discussion this afternoon and to some of the other discussions, that seemed to me to be the essential difference of opinion.

Mr. BRICKER. Beyond that, in the field of executive agreements, which the distinguished Senator from Georgia covers in his substitute, I do not see how anyone can successfully contend that the President alone should be able to make laws or to avoid laws already on the statute books and nullify the Constitution of the United States. That is a practice which has developed and which was confirmed by the Supreme Court in the Pink case. It is the most dangerous power of which I can conceive to be placed in the hands of one man—the power to make laws for the people of this country and even to make them in secret and keep them in secret until some occasion may arise when the contents are made known.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUSH. The amendment offered by the distinguished Senator from Ohio speaks of striking out lines 7 through 9, and inserting or adding the language of section 3.

Mr. BRICKER. That was changed by another amendment, so as to make the insertion between lines 9 and 10, I believe.

Mr. BUSH. As I understand, the Senate has already agreed to the so-called Ferguson amendment, pertaining to the revision of article VI of the Constitution, and containing the "in pursuance of" language. Is it the understanding of the Senator from Ohio that that amendment stands, and that the amendment of the Senator from Ohio is intended to follow it?

Mr. BRICKER. The Senator is correct.

Mr. BUSH. I thank the Senator from Ohio.

Mr. BRICKER. Mr. President, I yield the floor.

Mr. SALTONSTALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DAIRY DISEASE CONTROL

Mr. HUMPHREY. Mr. President, I desire to call the attention of the Senate to a protest from the Governor of Minnesota against some of the economy being practiced by the Eisenhower administration.

Minnesota, as a great dairy State, has been hit hard enough by lowering of dairy price supports. Yet the Department of Agriculture is going even further in withdrawing its assistance from our efforts to clean up our dairy herds by eradicating brucellosis.

The new budget provides no funds for the payment of indemnities for cattle condemned for tuberculosis or brucellosis.

Minnesota's Governor Anderson and Commisisoner of Agriculture Myron Clark inform me that elimination of these payments jeopardizes the continuance of the Minnesota disease-testing program, which is reaching its climax. They say that withdrawal of full participation at this critical stage of the campaign to eradicate brucellosis might be disastrous.

We hear so much about economy these days that I want to impress upon the Senate that this communication from our Republican Governor and agricultural officials of a Republican State administration calls for adding $1 million to the Department of Agriculture's budget for brucellosis control.

I happen to agree with them most heartily that the elimination of these funds is another example of foolish economy, to the point of being a costly mistake rather than any real saving to the American people. I welcome, for a change, some of our State Republican leadership beginning to recognize the penny-wise and pound-foolish policies being invoked by the administration in regard to agriculture.

I call attention to the warning of these Minnesota officials that they do not feel able to carry on the work alone, and that, as a result, loss of the indemnities might prevent the State's sanitary board from being able to qualify many counties in the State to market their dairy products in accordance with the United States Public Health Service milk ordinance and code.

This is just a good example of the fallacy of the growing tendency in Washington to say, "Let the States do it; let the States assume a greater share of the burden." The simple truth is, as I have constantly warned, the States are either not able or not willing to assume the burden of these essential programs for the public's interest.

It is rather interesting to me that our own Republican Governor refutes the idea that farm programs should be left to the States, by saying in his letter:

> No real progress was made in the control and eradication of either of these diseases until participation was undertaken by the Federal Government. Great progress has been and is being made in both eradication programs since Federal participation was initiated.
>
> Federal participation in disease-control programs not only lends financial aid, but vital moral support to an eradication program. Withdrawal of full participation at this critical stage of the campaign to eradicate brucellosis might be disastrous.
>
> Control of diseases of domestic animals to be successful must be on a national scale. Disease organisms do not respect State lines, and embargoes against importation of livestock are incompatible to our national livestock economy. We therefore believe that Federal participation in disease eradication programs is essential.

Mr. President, it is a pleasure to have the support of our governor and commissioner of agriculture in efforts to protect Minnesota agriculture, and I certainly pledge them my strongest cooperation in seeking restoration of these funds.

I ask unanimous consent that the letter from Governor Anderson be published at the conclusion of these remarks, and be called to the attention of the appropriate committees of the Senate for action.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

STATE OF MINNESOTA,
EXECUTIVE OFFICE,
St. Paul, February 17, 1954.

HON. HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: We are informed that the budget of the United States Department of Agriculture for the fiscal year 1954–1955 includes no provision for funds for the payment of indemnity by the Federal Government for cattle condemned for tuberculosis or brucellosis. We believe this omission should be immediately corrected because it jeopardizes the continuance of the Minnesota testing program which is reaching its climax. We are urging all members of the Minnesota delegation to join in safeguarding this program of extreme importance to our agricultural State.

The Federal Government has participated with State governments in the payment of indemnity for cattle condemned on account of tuberculosis since 1917, and in the payment of indemnity for cattle condemned for brucellosis since 1934. No real progress was made in the control and eradication of either of these diseases until participation was undertaken by the Federal Government. Great progress has been and is being made in both eradication programs since Federal participation was initiated.

Federal participation in disease-control programs not only lends financial aid but vital moral support to an eradication program. Withdrawal of full participation at this critical stage of the campaign to eradicate brucellosis might be disastrous.

Control of diseases of domestic animals to be successful must be on a national scale. Disease organisms do not respect State lines, and embargoes against importation of livestock are incompatible to our national livestock economy. We, therefore, believe that Federal participation in disease-eradication programs is essential. However, if the Federal Government intends to withdraw from the disease-control picture, some advances notice should be given to the several States in order to permit State legislatures to amend their laws or provide funds accordingly.

In Minnesota, after more than 20 years of preparatory efforts, the program for eradication of brucellosis is now reaching a climax. Under Minnesota law, indemnity must be paid for animals condemned for tuberculosis or brucellosis. Unless the Federal Government participates, the entire indemnity must be assumed by the State. The 1953 legislature appropriated funds for the present biennium on the assumption that Federal participation would continue. If no Federal funds are available for the payment of indemnity in the fiscal year 1954–55, the amount which the State will be required to pay for this purpose will deplete the funds available for brucellosis control to a great extent. The result will be such that the State livestock sanitary board will be unable to qualify many counties in the State to market their dairy products in accordance with the United States Public Health Service milk ordinance and code.

A conservative estimate indicates that at least $1 million will be needed by the United States Department of Agriculture for the payment of indemnity if full participation is continued with the several States. It is respectfully and urgently requested that you exert every effort to have an adequate amount included in the appropriation to the Department of Agriculture, earmarked for the payment of tuberculosis and brucellosis indemnity.

Yours very truly,

C. ELMER ANDERSON,
Governor.

RALPH L. WEST,
Secretary, Livestock Sanitary Board.

MYRON W. CLARK,
Commissioner of Agriculture.

Mr. THYE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to my distinguished colleague.

Mr. THYE. With respect to the Federal appropriation for the eradication of the various livestock diseases, I received the same communication which came to my colleague. I referred it to the Department of Agriculture, because I specifically wished to have the Department's recommendation before I proceeded to the Bureau of the Budget with the problem. A request for such an appropriation was omitted by the Bureau of the Budget.

I may say to my colleague that in the past year the State of Minnesota has had funds which have permitted it to go forward with its program of tuberculosis eradication. There was a time when there was a shortage in the Government funds to match the State funds, and at that time I took the matter up with the Department of Agriculture. I cannot speak with exactness regarding the

figures, but, if my memory serves me correctly, the Department of Agriculture allocated an additional amount of something over $69,000 to the State of Minnesota. I shall furnish for the RECORD the exact figures, but I am sure the amount was in excess of $69,000. Those funds enabled the State to go forward with the eradication program, and it is doing so now without any curtailment or shutdown.

I shall join my colleague in the request of the Department of Agriculture and the administration that the program must be completed. There is no use going into a certain number of counties in any State in the Union, beginning to eradicate a disease, and then not finishing the job. If the work is not completed, a recurrence of the infection will occur. It is therefore necessary to completely eradicate such a disease in a State. Assistance must be furnished in eradicating livestock disease, whether the disease is in Idaho, Oregon, Minnesota, or wherever it may be. The job must be completed.

I say to the Bureau of the Budget and to the administration officials that it is shortsighted to begin the program and then stop the work before it is completed. If the disease being attacked is not eradicated in all communities and in all counties, there will be a recurrence of the infection.

I wanted the RECORD to show that I had received identically the same letter which was signed by the Governor of Minnesota, by Dr. West, the executive director of the Livestock Sanitary Board, and by Mr. Myron Clark, Commissioner of Agriculture of Minnesota. When I received the letter, I immediately referred it to the Secretary of Agriculture and asked for specific recommendations before I referred it to the Bureau of the Budget. As a member of the Committee on Appropriations, I would put forth every possible effort in the committee to provide an appropriation recommended by the Department of Agriculture to continue the eradication program. If I could not succeed in committee, I would take it up on the floor of the Senate, and I know I would have plenty of help from my colleagues.

Mr. HUMPHREY. I wish to thank my colleague. I recall that he was active in the effort to get funds to fight brucellosis during the last year.

As the Senator knows from his own letter, the governor states that in its 1953 session the legislature had appropriated money for the coming year on the basis of Federal participation. It would almost necessitate a special session of our legislature if the State of Minnesota were to continue the program with its own funds. I believe when the Federal Government has made at least a moral commitment, even if not a binding contract, to continue the program, the program should be continued. I shall certainly give my fullest cooperation to my colleague, the senior Senator from Minnesota.

Mr. MORSE. Mr. President, will the junior Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Oregon.

Mr. MORSE. I wish to ask two or three clarifying questions. I hope they will be clarifying.

Am I to understand that an appropriation for livestock inspection which has existed in the past has been eliminated from the budget now pending in respect to all States, or in respect only to Minnesota?

Mr. HUMPHREY. In respect to all States.

Mr. MORSE. So that the Federal Government, if the budget proposed shall be adopted, will no longer cooperate in the effort to eradicate contagious diseases in cattle?

Mr. HUMPHREY. That is correct; brucellosis and tuberculosis.

Mr. MORSE. My second question is, Has the money appropriated in the past been appropriated on a match-money basis, with States contributing a part of the funds, and the Federal Government a part?

Mr. HUMPHREY. Yes. I may state that in the State of Minnesota there is a public law which requires indemnity payments by the State sanitary board when it finds disease in cattle. Payment is made to the owner of the cattle.

Mr. THYE. Mr. President, will my colleague yield at this point?

Mr. HUMPHREY. I yield.

Mr. THYE. It is not quite so simple as that. First, the people in the county affected have to vote. There must be received an agreement on the part of a certain number of producers in the county that they will sign up with the State for the eradication of the disease; it matters not whether the disease be brucellosis or tuberculosis. If the producers agree to join with the State in the eradication program, the State proceeds to pay a certain amount to the cattle owner which is based on the appraised value of the animal. If the animal is purebred, it is appraised at a certain value. If it is another grade, it is appraised at another value. The animal is sent to the market, and the State will then make as an indemnity payment the difference between the appraised value and what the animal brings on the market. The Federal Government has joined with the State in such a program, and has participated in paying for the difference which exists between the appraised value of the animal and what the animal brings on the market. In the case of Minnesota, the State would allow a certain amount, and the Federal Government in turn would allow a certain amount. That is the manner in which the particular program has been handled in the past.

If the Federal Government is going to fail to match such costs, then it will cease to do what it has done in the past in the program of eradicating tuberculosis or some of the other highly infectious diseases. I think the abandonment of such a program would be a mistake. I know the producers would think exactly the same as do many of the Senators now present, that if the program came to an end at this time the eradication program would not be as successful as it has been in the past.

I thank the Senator for yielding.

Mr. HUMPHREY. I wish to say, by way of supplementation, that the program has now been in existence for 20 years, as the distinguished senior Senator from Minnesota knows. According to the Governor's letter, the program has progressed on the basis of that experience. The county program to which the senior Senator has referred would be stopped at dead center, according to the Commissioner of Agriculture of Minnesota.

Mr. THYE. I may say to my colleague that sometimes counties have refused to cooperate with the State. We in Minnesota have had difficulties over that question in the past 20 years. Some counties disagreed with the State livestock sanitary board and have not agreed to permit area tests. Therefore, there may be isolated instances where the State authorities cannot get the counties to cooperate. However, with regard to all counties which have agreed, the State has proceeded during the past 20 years with a program, first, of tuberculosis eradication, then with other programs, and at the present time there is in operation the brucellosis-eradication program. Of course, the herds in many counties were tested for tuberculosis last summer, and many herds were tested both for tuberculosis and the other disease. The State is in the process of finishing that program.

Mr. HUMPHREY. That is exactly the substance of the Governor's letter.

Mr. THYE subsequently said: Mr. President, I have just referred to my files to obtain the exact figures regarding the allocation of funds to Minnesota.

It was in the month of February that I succeeded in having a second allocation made to Minnesota. The first allocation was on the basis of $46,400. The second allocation was $73,600.

Earlier today I stated that I thought the allocation was approximately $69,000. However, I now have the correct figures, and I submit them in connection with my previous statement.

The figure I have just stated was the amount allocated to the State of Minnesota during the month of February in order to permit the program to continue, and so there would be no delay, cancellation, or termination of the services of the veterinarians who were engaged in the eradication program.

However, the budget for the fiscal year 1955 does not contain this item; nothing in the budget is recommended for this purpose.

Therefore, when I received the letter from the Governor of Minnesota, the Minnesota Commissioner of Agriculture, and Dr. West, executive secretary of the State livestock sanitary board, I submitted it to the Department of Agriculture, in order that it might have the benefit of the recommendations of those three gentlemen, and might be able to consider them in connection with the statement by the Secretary of Agriculture or the Department of Agriculture's policy statement. As I indicated, I also wished to have the letter referred to the Bureau of the Budget or to other agencies of the administration, because

I knew we expected to have an item for eradication of the disease written into the appropriation bill, for it is too dangerous to the human race to permit Bang's disease to exist in the cattle herds, inasmuch as the result would be the contamination not only of milk, but also of the carcasses which are processed in the slaughter yards.

Mr. HUMPHREY. I thank the Senator from Minnesota. I shall continue to work with him on these items, and I hope the program will be continued to its completion.

Mr. THYE subsequently said: Mr. President, earlier this afternoon, in fact, within the hour, my colleague, the distinguished junior Senator from Minnesota [Mr. HUMPHREY], made reference to, and had printed in the RECORD, a letter which he had received from the Governor of Minnesota. The letter was cosigned by Dr. Ralph L. West, secretary of the livestock sanitary board, and Myron W. Clark, commissioner of agriculture.

At the time of the earlier debate I entered into a general discussion of the question with my colleague. Later I returned to my office and extracted from my files a copy of a letter which I addressed to Secretary of Agriculture Benson, dated February 22, referring to the letter I had received earlier from Dr. West, the executive secretary of the State livestock sanitary board dated February 18, 1954.

I ask unanimous consent that the letter of February 18, 1954 addressed to me by Dr. Ralph L. West, secretary of the livestock sanitary board, be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

LIVESTOCK SANITARY BOARD,
St. Paul, Minn., February 18, 1954.

HON. EDWARD J. THYE,
Senator from Minnesota,
Washington, D. C.

DEAR SENATOR THYE: Yesterday a letter signed jointly by Governor Anderson, Commissioner Clark, and myself was mailed to you. This letter referred to the omission from the budget of the United States Department of Agriculture of any funds for the payment of indemnity for cattle which react to the tests for tuberculosis or brucellosis in participation with the various States. This letter is supplemental thereto and is written by me as executive officer of the State Livestock Sanitary Board and also chairman of the committee on legislation for the United States Sanitary Association, and also expresses my personal views.

I understand the budget is now being considered by a House committee in Congress of which Representative H. CARL ANDERSON, of Minnesota, is chairman. I have also written a special letter to him, but, knowing your interest in livestock-disease control in this State, I thought you should be informed of the situation we are now facing.

Since the tuberculosis- and brucellosis-eradication program became cooperative projects between the State and the Federal Government, Minnesota has operated under a "memorandum of understanding" with the Bureau of Animal Industry, United States Department of Agriculture. In this memorandum the Federal Government, through the Department of Agriculture, agreed to share in the payment of indemnities for cattle destroyed because of reacting to the test. Since the cooperative work first started the Federal Government has never failed to participate equally with the State of Minnesota in such payments.

When the 1953 legislature made the appropriation for animal-disease control in this State, there was no indication the Federal Government intended to discontinue this participation, and the State appropriations were made accordingly. It is my opinion that disease control is definitely a nationwide problem and that participation by the Federal Government in all phases has been exceedingly valuable and should be continued. However, if it is the intention of the Federal Government now to withdraw from these eradication programs or any phase thereof, in all fairness to the various States, it seems to me that sufficient notice should be given so that State legislatures can guide themselves accordingly in amending laws and appropriating money. To suddenly discontinue participation in what appears to be a violation of the "memorandum of understanding" seems extremely unfair to State animal-disease control agencies and can be disastrous to the disease-eradication programs.

In addition to the situation we will face in the next fiscal year 1954–55, we also have a problem confronting us at the present time. We greatly appreciated the supplemental allotment to Minnesota for the present fiscal year for Federal participation in indemnity payments; however, we are now informed that even with this increased allotment and with the decreased payments as provided by amended Federal regulations last September, the funds for Federal payments in Minnesota are now exhausted. Dr. Driver, the veterinarian in charge of the Federal force in Minnesota, informs me that it will be necessary for the State to assume full payment of indemnities for the remainder of this fiscal year. I do not know if there are any additional funds available for a further allotment to Minnesota, and I would appreciate your advice as to whether or not any action can be taken toward securing such funds from any source, or whether an immediate deficiency appropriation might be made to take care of these payments for the rest of the present fiscal year.

It is my understanding that Federal payments are continuing for the remainder of this fiscal year in some States. It is true that the Minnesota program is more extensive than those conducted in most of the other States but it does not seem logical that Federal payments should be denied for that reason, if there is money for the payment of indemnity still available to the Department of Agriculture.

I realize that you are extremely busy at this time and hesitate to again write you regarding these matters, but if there is anything further that you can do or suggest that I might do, I would be very pleased to hear from you.

Incidentally, I have just received and read a copy of your letter of January 21 to Secretary Benson, giving an outline of your views on the agricultural problems. I wish to congratulate you on this letter, which I believe indicates clear and sound thinking.

With best personal regards, I remain,

Sincerely yours,

RALPH L. WEST,
Secretary and Executive Officer.

Mr. THYE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD my letter dated February 22, 1954, to Secretary of Agriculture Benson.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *February 22, 1954*

The Honorable EZRA TAFT BENSON,
Secretary of Agriculture,
Washington, D. C.

DEAR SECRETARY BENSON: I am in receipt of a letter that had been jointly signed by Governor C. Elmer Anderson of Minnesota, Dr. Ralph L. West, secretary of the Live Stock Sanitary Board, and Mr. Myron W. Clark, Commissioner of Agriculture in the State of Minnesota, concerning funds for the indemnity payments in the eradication of the tuberculosis and brucellosis diseases, and also a letter from Dr. West. I am enclosing copies of these letters for your information.

I have been informed by your Department that the funds are exhausted and if this Federal participation is to be continued that additional appropriations must be made. I am, therefore, asking your assistance and advice.

Thank you.

Sincerely yours,

EDWARD J. THYE,
United States Senator.

Mr. THYE. Mr. President, I shall not ask that the letter of the Governor be printed at this point in my remarks, because my colleague, the distinguished junior Senator from Minnesota has already inserted it in the RECORD.

There was published in the St. Paul Dispatch of February 2, 1954, an article entitled "THYE Gets Funds To Fight Brucellosis," written by Alfred D. Stedman, which refers specifically to the question under discussion, and also reports that I had succeeded in obtaining the second allotment for the State of Minnesota, so that the disease eradication program could be continued without interruption or delay. The article refers specifically to the $73,600 to which I referred earlier.

I ask unanimous consent that the article by Alfred D. Stedman may be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THYE GETS FUNDS TO FIGHT BRUCELLOSIS

(By Alfred D. Stedman)

As a result of a conference held by Senator THYE with Secretary of Agriculture Benson, an allotment of $73,600 of Federal funds has been made to help Minnesota push brucellosis eradication among dairy cattle during the next 5 months.

This was disclosed today by Dr. Ralph L. West, executive officer of the Minnesota Livestock Sanitary Board. Dr. West is in charge of the work of freeing Minnesota herds of the livestock disease that, when communicated to humans, is known as undulant fever. Dr. West said he hopes the funds will be sufficient so that, together with this State's expenditures for the purpose, there will be sufficient money to pay indemnities through the rest of the Government's fiscal year, which ends June 30.

Under Federal economy measures, the United States Department of Agriculture already has reduced its allotments substantially and a further reduction to or near zero would have been forced if the new allocation of $73,600 hadn't been made. The money is used to indemnify dairy herd owners up to a maximum of $25 a head for grade cows and $50 a head for thoroughbreds that are found infected with brucellosis and removed by slaughter as sources of further danger to herds or handlers.

Hitherto shared 50–50, the Federal Government this year cut its share from a $12.50 maximum to $9 on grade cows and from $25 to $18 on thoroughbreds.

With the State making up the balance, the increased drain on State indemnity funds has been further aggravated by the worst drop in slaughter prices of cows in 7 years. This drop has brought market prices of animals slaughtered down in more and more

cases below appraisal values where indemnities begin.

These are $125 maximum for grade animals and $225 for thoroughbreds. Two-thirds of the margin below the appraisal can be covered by indemnity and one-third of the loss is stood by the owner. With both slaughter prices and the Federal share of indemnities declining, the burden on State funds has been rising.

Dr. West conferred by telephone with Dr. Robert Anderson, of animals disease control work, in Washington. Then Senator THYE took up the matter of Federal funds directly with Secretary Benson.

Mr. MORSE. Mr. President, if the junior Senator from Minnesota will yield to me further, I may say I understand the procedure which has been followed in the past, but my question was whether the elimination of this particular item in the Eisenhower budget would not result in great discouragement to the cattle growers, both in Minnesota and in all the other States, and consequently fail in obtaining their cooperation and participation in the program. That would follow because, without the Federal matching money the cattle growers would not get so much for the condemned creatures as they would get with participation of Federal funds. Therefore, the cattle growers might take a chance on the animals recovering from the disease in some way, and would not go along with the eradication procedure. Am I correct?

Mr. HUMPHREY. The Senator from Oregon is absolutely correct when he indicates that such action, if not at least a deathblow, would be at least a retarding blow to the progress of the program. When there is State, county, and Federal participation, as is contemplated by the program, it would be almost impossible to carry it out if there were not a budget estimate by the administration, and an appropriation by Congress, unless the State legislatures were reconvened and then dealt with the problem, and unless, again, they were able to obtain funds through legislative appropriations.

Mr. MORSE. Therefore, does it not follow that to the extent that the withdrawal of Federal funds has the effect of reducing the extent of the program of disease eradication among the herds in the Nation, the public health becomes endangered?

Mr. HUMPHREY. Indeed, Mr. President, this is one of the most effective public-health measures ever undertaken. I believe the public-health records will reveal that when tuberculosis eradication among the dairy herds was begun, some years ago, it had an extremely important effect not only on the health of the herds, but also on the health of the people. The same is true in the case of brucellosis.

Mr. MORSE. Has not the theory been that the people of the country as a whole have an interest in the eradication of contagious diseases among cattle, when the cattle are used either for milk purposes or for beef purposes which, without careful supervision, might result in endangering the health of the public?

Mr. HUMPHREY. Yes, the public has a positive and definite personal interest in the success of the program.

Mr. MORSE. So this program seems to me to be at least one specific case in which leaving it to the States does not guarantee the best protection of the national public interest.

Mr. HUMPHREY. I believe that is so. I say frankly that if this matter is left to the States, the program will be retarded for several years, and may very well die on the vine, so to speak.

Needless to say, if the program is discontinued, just another roadblock will be placed in the way of the fulfillment of better public-health standards in the Nation, because the safeguarding of the purity of food and the safeguarding of the health of livestock are of vital importance to the public health.

Mr. MORSE. Does the Senator from Minnesota agree with me that this instance is another little lesson to the Eisenhower administration, teaching it that, after all, there are some national interests which need to be protected by the Federal Government, and cannot be relegated to the States?

Mr. HUMPHREY. Certainly that is my feeling; and I believe it is very unfortunate that the budget of the Department of Agriculture did not include this item. I repeat that the omission of this item is not economy, but is a serious mistake, and should not be permitted by the Congress.

I am sure that if we discuss this matter and have the congressional committees look into it, the item will be restored.

Furthermore, I wish to say that a year ago the President indicated, when he visited the great agricultural research experiment station at Beltsville, Md., his keen interest in agricultural research.

Mr. MORSE. That was a year ago.

Mr. HUMPHREY. Yes. However, the agricultural research funds which were recommended were much less than the interest which was shown in the program at that time.

In the present instance, I say again that the appropriations being recommended do not jibe with the philosophy of consideration of the people.

The other day I heard someone classify the Eisenhower program as one that is liberal with people, but conservative with economics. The trouble is that if one is going to be liberal with people, one must be a little more generous with economics. That is what we are talking about at this time.

Mr. MORSE. My friend from Minnesota does not leave me with any enthusiam when he quotes what the President said more than a year ago. I recall a number of things the President said during the campaign that do not jibe with his present position.

Mr. HUMPHREY. I was only refreshing my colleague's recollection.

Mr. MORSE. It does not need to be refreshed; I remember those statements very well.

Does the Senator from Minnesota recall that a few years ago a very serious outbreak of hoof-and-mouth disease occurred in Mexico—an epidemic which, if it had spread to the United States, would have jeopardized the cattle industry in our country?

Mr. HUMPHREY. Indeed, I do recall it. I also remember the very great efforts which were made by our Government to see that that epidemic did not spread to the United States.

Mr. MORSE. It is true, is it not, that at that time our Government did not talk about any matching of funds, but actually spent many million dollars in providing funds for the Mexican owners of diseased cattle, so that the diseased herds in the entire infected area would be exterminated? Is it not also true that from the standpoint of our public health, we were very glad to get rid of those diseased cattle in Mexico?

Mr. HUMPHREY. That is my recollection.

Mr. MORSE. I recommend that procedure to the Eisenhower administration, when there is at home a health situation applying to our livestock that threatens the health of all the people of the United States.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

SENATE RESERVATIONS TO TREATIES

Mr. WILEY. Mr. President, a number of the proponents of the so-called Bricker amendment have implied that the Senate cannot be trusted to do a good job in considering whether treaties should be ratified.

But I call attention, Mr. President, to the fact that the Senate does not have the reputation of being an "easy mark" when it comes to action on treaties.

Only last month we considered the Mutual Defense Pact with Korea. Before the treaty reached the floor, the Foreign Relations Committee attached a specific understanding to the resolution of ratification. The executive branch felt it was absolutely clear that the treaty did not obligate the United States to come to the aid of the Korean Republic in defense of areas which might come under Korean administrative control as the result of unlawful means. But the Senate was not satisfied. It attached an understanding making it absolutely clear that the United States was not in any way whatsoever underwriting any military ventures upon which the Republic of Korea might embark in the interest of unifying that country.

There has been much talk of the Genocide Convention. The impression is left that the Senate was about ready to approve that treaty, but that somehow the Bricker proposal intervened and prevented the Senate from taking precipitate action that would subject Americans to trial by an international tribunal. Mr. President, in the language of the street, all that is "baloney."

What are the facts? The Genocide Convention came to the Senate more than 5 years ago—in 1948. The Foreign Relations Committee referred the treaty to a subcommittee, which held 550 pages of hearings. When the subcommittee

sent the Genocide Convention back to the full Foreign Relations Committee it did so only after draping the convention with 4 specific understandings and 1 declaration. It specifically recommended that if the Senate were to give its advice and consent to the Genocide Convention it should do so with the statement that it was so doing "in exercise of the authority of the Federal Government to define and punish offenses against the law of nations expressly conferred by article I, section 8, clause 10, of the United States Constitution, and, consequently, the traditional jurisdiction of the several States of the Union with regard to crime is in no way prejudiced."

In other words, the subcommittee of the Foreign Relations Committee which studied this question carefully recommended that the Senate, if it acted on the Genocide Convention, make it crystal clear that the Federal Government was exercising a delegated power, and was not enlarging the jurisdiction of the Federal Government by use of the treaty power. In fact, the point was bluntly made that the treaty was not in any way to be construed as impairing the traditional jurisdiction of the States in the field of criminal law. But even with these caveats the Foreign Relations Committee has not seen fit to recommend Senate action on the Genocide Convention. It still lies in the pigeonhole of the committee.

I am bringing out these facts because there has been a great deal of misrepresentation about the alleged looseness of the Senate in these matters.

Mr. MORSE. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. PURTELL in the chair). Does the Senator from Wisconsin yield to the Senator from Oregon?

Mr. WILEY. I yield.

Mr. MORSE. Is it not true that the chairman of the Foreign Relations Committee has just pointed out to the Senate one of the effective checks which the Senate has, through its committee, in taking what time it desires before it submits to the Senate a report on a proposed treaty?

Mr. WILEY. Of course. I thank the distinguished Senator.

Mr. MORSE. Is not delaying action on a treaty one of our checks and balances against an Executive if he sends to us a treaty which we think in the national interest calls for long and thorough study leading to reservations to be attached to the treaty?

Mr. WILEY. The Senator is correct.

Only last year the Senate approved a series of treaties of friendship, commerce and navigation, but it did not approve those treaties without a reservation. The Senate Foreign Relations Committee found that some clauses in those treaties might overturn certain State laws which require citizenship of individuals practicing certain professions. What did the committee do? It recommended a reservation, which was accepted by the Senate, which made it clear that such State laws were not to be effected by the treaty. Again the comment of the distinguished Senator from Oregon is pertinent. It shows that we are not asleep, and that we who have been elected by the people recognize that we have trustee obligations to fulfill. One of them is to protect the constitutional process.

Mr. MORSE. Mr. President, will the Senator yield for one further question?

Mr. WILEY. I yield.

Mr. MORSE. Does the Senator think there is some merit in the point that is made by some of our colleagues, that a good deal of the criticism of what has happened, at least in respect to carrying out the advice and consent clause of the Constitution in relation to treaties, is that in some instances the Senate has not studied a treaty throughly enough? Does it not follow that if the Senate is at fault in not giving sufficient study to a treaty it should put its own house in order rather than propose to amend the Constitution along the lines of the Bricker proposals?

Mr. WILEY. I think that logic is sound, especially if we assume that we have not done a good job. But I think we have done a good job, because it is a very singular thing that in 165 years there has not been more than one treaty which the Senate or the Congress has set aside. That was the treaty with France. It was set aside when France broke its obligation, back in the early days of the 19th century.

Mr. MORSE. When I make reference to the argument that the Senate has not done a good job, it is used in reply to those who are heard to argue that some treaties have been approved which perhaps should not have been approved. If that be true, it only reflects on the Senate. It does not reflect necessarily upon an abuse of power by the Executive. The Executive sends the treaty to the Senate for its advice and consent.

The Senator has just finished pointing out one treaty to which we attached a reservation making it perfectly clear that the treaty would not supersede any State law. Perhaps that is a pretty good precedent, which the Senate ought to follow more frequently than it has followed it in the past.

The argument is sometimes made that there has been a tendency on the part of the Senate in years gone by to fall into the habit of rubber-stamping treaties which come from the White House. If that be true, we should not blame the White House for it. We should blame the Senate. The Founding Fathers placed upon the Senate an obligation carefully to check all treaties. If reservations ought to be attached and we do not attach them, no one is to blame but ourselves.

Mr. WILEY. I think the Senator's logic is sound, but on the other hand, I do not believe there is any proof whatsoever that the Senate has ever rubber-stamped a treaty.

I believe that the facts are very clear and definite. When treaties have been sent to the Foreign Relations Committee, that committee has held hearings. It has taken testimony. It has gone into the language of the treaties. Time and time again it has attached reservations or interpretative clauses. It is true that there have been instances when treaties which were seemingly approved after full consideration in the Senate were approved, as was stated here the other day, when there was not a quorum present on the floor of the Senate. In the case referred to the treaties had previously been carefully studied and approved by the Senate. It must not be forgotten that this constitutional body does practically all its work through committees. I have never heard, since I have been in the Senate, any suggestion made that the Foreign Relations Committee has not done the job delegated to it as an arm of the Senate under the Constitution. In other words, it has looked after the treaties coming before it, ascertained the facts, and made whatever recommendations seemed to it to be proper.

Mr. MORSE. Mr. President, will the Senator yield for two further questions?

Mr. WILEY. I yield.

Mr. MORSE. Does the Senator agree with me that we do not need a constitutional amendment in order a guarantee a yea-and-nay vote in the Senate, if the Senate properly does its job of amending its own rules?

Mr. WILEY. Of course, that is perfectly sound logic; and I hope the entire country will give heed to the Senator's statement on that point. A bill of goods has been sold to a great many people who were filled with fear when there was no basis whatever for such fear.

Mr. MORSE. The point having been raised, I will say that the reason I did not vote for a constitutional amendment requiring a yea-and-nay vote in the Senate on the ratification of treaties is that I do not believe, for example, in adding to State constitutions a great many trivial ordinances, thus making them the organic law of the State. Likewise, I do not believe in adding to the Constitution of the United States what is really, in effect, a rule of the Senate, and ought to be applied as a rule of the Senate.

We certainly do not need an amendment to the Constitution of the United States to compel Senators, who are elected by the people, to exercise properly the checks which is in their power by adopting a rule in the Senate which would require, as a matter of procedure, a yea-and-nay vote on the question of ratifying a treaty.

Such an amendment would merely be adding excess verbiage to the Constitution of the United States. There is no justification for making the Constitution a great traffic ordinance. We are really dealing here with traffic laws for the handling of legislation. Such regulations ought to be made effective by rules of the Senate.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. WILEY. Just a moment.

Of course, I agree 100 percent with the Senator from Oregon. My position on that subject coincides with his. However, I feel that there has been so much discussion about the need for this amendment that the proponents of the amendment have created a sort of fog. Now they want to throw a sop to the people who have been more or less befogged by their argument. That is the reason why they have put forward this proposal. I agree that it is a poor legal and business method to attempt to

amend a fundamental, basic rule like the Constitution by including in it rules of procedure in the Senate.

Mr. LEHMAN. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LEHMAN. I wonder whether the Senator from Wisconsin recalls that the question of approval by a two-thirds vote after a quorum call and a yea-and-nay vote was recognized by the majority and minority leaders a year ago, at the time I proposed a change in the rules which would require both a quorum call and a yea-and-nay vote. Both the majority leader and the minority leader then stated on the floor of the Senate that pending action by this body they would recognize the validity of such a rule and would insist in every instance upon a quorum call and a yea-and-nay vote.

The distinguished chairman of the Committee on Foreign Relations will agree with me that there is not the slightest difficulty whatever in taking care of such a situation through a change in the rules of the Senate, or by the enactment of a statute. The rule could be tightened up to such an extent that it could not be waived by unanimous consent. In that way the rule would be completely watertight.

Mr. WILEY. I agree fully. I have a recollection of what the Senator has said concerning the statements made by the majority leader and the minority leader. I agree with him that such a resolution, amending the Rules of the Senate, could be submitted today and adopted tomorrow.

Mr. LEHMAN. I wonder whether the Senator from Wisconsin realizes that the proposed change in the rule, which was submitted by me last year has been reposing in the Committee on Rules and Administration, and that the committee has done nothing about it. The committee could have reported it to the Senate, and it could have been adopted in less than 5 minutes. Instead there has been put forward a proposed constitutional amendment embodying the same purpose.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. MORSE. That is the point I wished to comment on. The Lehman proposal for a change in the rules of the Senate by providing for a roll call vote on treaties has been before us for well over a year. If we are so much concerned about the principle involved, at least we should have adopted the Lehman resolution first. In that way, we could have observed how well its provisions worked. I am familiar with the argument: Oh, we have no guarantee in perpetuity that a future Senate might not change the rule.

When I think of how difficult it is to get the bewhiskered rules of the Senate changed, I do not have any fear that in the future a dynamic rule such as the Lehman proposal would be changed by a future Senate, or that any future Senate would tamper with such a rule.

The adoption of the resolution as the Senator from New York has suggested, would avoid the submission to the people of America of a constitutional amendment requiring that a rule of the Senate shall provide for a yea-and-nay vote on treaties. There is no need to clutter up the great basic and fundamental organic law of the Nation by such an amendment.

The last question I wish to ask of my good friend from Wisconsin is whether he will discuss the problem which earlier today concerned the Senator from Massachusetts [Mr. SALTONSTALL] and which has also concerned a good many other Senators on the floor, which is the question as to what checks are now available to protect the people of America from any abuse of power on the part of the Executive in regard to so-called executive agreements.

I believe when we get down to that point we have placed the proponents of the amendment in such a position that they must either fish or cut bait, because they must say either that there are no adequate checks, or they must admit that there are adequate checks. I shall not discuss the subject further at this time, but shall await the Senator's discussion of it.

Mr. WILEY. My intention was not to discuss it today, because I believe the appropriate time will be when the second clause of the George amendment comes up for discussion.

I wish to continue to discuss what amounts almost to a slander of the Senate and of the committee of which at the present time I have the great honor to be chairman. I refer to statements that the Members of the Senate have been neglectful of their duties. Such remarks have a very deteriorating effect upon a good many people. When remarks of that kind are made they are read throughout the country, and the inference is drawn that we are not on the job and are not properly attending to the work entrusted to us. One of the jobs before us, as suggested by the two able Senators who have made inquiry of me, is that of protecting the Constitution. We must not add amendments to the Constitution which will poke holes into it, and in that way perhaps make out of the Constitution what amounts to a Roberts' Rules of Order. I should like to carry on my discussion along that line.

Mr. President, let me give one final example of reservations attached to treaties by the Senate.

The Charter of the Organization of American States contained a series of provisions which might have been interpreted—and I quote from the Foreign Relations Committee report—"as imposing obligations upon the United States to enact legislation relating to matters reserved to the 48 States under the Constitution." What happened? We tagged a reservation onto the treaty, stating:

> None of its provisions shall be considered as enlarging the powers of the Federal Government of the United States or limiting the powers of the several States of the Federal Union with respect to any matters recognized under the Constitution as being within the reserved powers of the several States.

Mr. President, there may be some Senators who are not willing to trust the judgment of Senators in the exercise of their constitutional function to advise and consent to treaties. I could understand it if this proposal had originated in the other House. But our constitutional fathers fixed the term of Senators at 6 years with the thought that one effect would be to create a body less subject to the political whims of the day. I think the record will show that we have been reliable. Those who support this amendment do not point to a single treaty which has gotten by the Senate without careful consideration and has upset the balance of powers of this Government. Yet they propose to upset that delicate balance by a proposed amendment that flies in the face of our experience and tradition.

Mr. President, I have been interested in this subject for the past 8 or 9 months. As I read some of the newspapers at the time, I remember the position they took. Many of the editorial writers were simply the victims of emotionalism, when they said the proponents of the proposed constitutional amendment were going to do a great job for the people of the country.

It is interesting to note the swing back. I referred today to an incident which took place in the State of Oregon, where a chamber of commerce had originally resolved in favor of the Bricker amendment. Then it appointed a committee to examine into the whole subject. They obtained the advice of the best attorneys in that section and of some of the judges of the supreme court of that State. As a result, they adopted a resolution against the Bricker amendment. In other words, a little light had come into the picture. Before that it had been a question of emotionalism. I put that resolution into the RECORD today.

A review which I have made of recent newspaper editorial comment clearly shows that opposition to the Bricker amendment is becoming stronger and that support for it is becoming weaker.

Mr. President, it will be remembered that at one time it was stated on the floor of the Senate that 90 percent of the bar associations were in favor of the Bricker amendment. Then the facts were developed. What happened, Mr. President? At the meeting of the section on international and comparative law of the American Bar Association, to which I previously referred, the vote was 7 to 1 against the Bricker amendment. The subject was taken before its board of governors. What happened there? One hundred and thirteen voted in favor of it, 33 against it, and 77 refused to vote.

As the various State bar associations examine the whole subject they are going on record against the Bricker amendment.

Mr. President, more and more newspapers are coming out flatly against any tampering with our Constitution. At long last they have recognized what our forefathers recognized and what some of us were taught when we worked our way through law school, that the Constitution was something with which we should not tinker.

It is significant that, at the same time, newspapers which once supported the Judiciary Committee version of the

Bricker amendment are beginning to call for a compromise.

What is happening, Mr. President, is that as public understanding of this issue increases, it is becoming more and more apparent that there is no real need to amend the Constitution at all and that any amendment conceived in haste and confusion is likely to be dangerous, no matter how innocuous it may appear on the surface.

The Dayton News, which believes that "there is no valid need for any amendment," holds that the George substitute is "about as acceptable a compromise as can be devised."

But overwhelmingly other newspapers opposed to the amendment also oppose a compromise.

A compromise would only becloud the issue—

Says the New York Times.

The amendment should be definitely rejected.

The one best thing to do with the Bricker resolution is to kill it—

Says the St. Louis Post-Dispatch.

The Hartford Courant adds that—

It will be good if Senator BRICKER continues to refuse to compromise—

So that there can then be a debate that will—

make clear the stupendous change in American Government that the amendment would actually bring about.

The Washington Post, New York Herald Tribune, Louisville Courier-Journal, Minneapolis Tribune, Washington Star, Providence Journal, Milwaukee Journal, likewise oppose any substantial compromise.

Support for the amendment is clearly wavering. Certainly this is no time for the opposition to weaken. There have been enough efforts to find a compromise. It is time to meet the issue head on.

Mr. President, I know that some well-meaning Senators have argued that passage of some amendment is necessary in order, first, to reassure the people who are said to be alarmed over an imaginary loophole in the Constitution and, second, to prevent a disastrous split in the Republican Party.

On the first point, Mr. President, I have previously cited Gallup polls to show that the state of public alarm on this issue has been greatly exaggerated.

The first poll showed that only about 19 percent of the people had heard of it, and were in favor of it to the extent of 7 percent. 5 percent were against it. Ten days later the poll showed that approximately 4 percent were in favor of it and 6 or 7 percent against it.

Mr. President, when I was a lad in college and read the debates of the Senate, I got the idea that here was a place where Senators argued the facts, calmly, having in mind what effect their statements would have on the minds of citizens. It seems to me that here, too, statements are made which have the effect of beclouding the issue. We have operated 165 years under this great instrument, and there is not a hole in it, though the argument has been made that we must do something to plug the holes. What those who make that argument mean is that they want to plug up the Constitution.

I have previously stated that public alarm with reference to the issue has been greatly exaggerated. But to the extent that it exists, it is due in large part to dissatisfaction with the previous Administration. The Constitution provides a remedy at the polls for that sort of dissatisfaction, and the people have already resorted to that remedy. I share with the New York Herald Tribune the hope that as the tide of mistrust of United States foreign policy ebbs, there will not be left in the Constitution "a residue that later generations will regret."

As to the second point, Mr. President, I have no fear of a split in the Republican party on this issue. The Constitution was drafted by men who put country above party. If the Constitution is to be amended, it must be on the basis of the issues involved, not on the basis of imagined fears of what it may do to a party.

Any amendment of our Constitution must be drawn and voted upon without regard to party interests. Every Senator on this floor takes an oath when he assumes office. He swears "that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same." By that oath, Mr. President, it seems to me that every Senator accepts a personal obligation to the Constitution that he must discharge on the basis of his own study, his own conviction, and his own conscience.

The American Constitution is the fundamental, organic law of this Nation. It can be amended only with great difficulty. It should be amended only when there is overwhelming understanding and support for amendment.

I do not believe most Americans understand what we are doing here. The debate of the past few weeks indicates that many Senators do not know precisely what the effect will be of the amendment we have before us. The President of the United States, his chief legal officer, and the Secretary of State have vigorously opposed draft after draft of amendments drawn by Members of this body.

The burden of proof must rest on those who seek to amend the Constitution. They must show the need for, understanding of, and overwhelming support for change.

I do not believe that burden of proof has been met.

The Senator from Michigan insists that "in pursuance of," as used in his amendment, means not repugnant to the Constitution and he cites Marbury against Madison—CONGRESSIONAL RECORD, February 19, 1954, pages 2065–2066. That is the decision involving the so-called midnight judges. On March 2, 1801, the day before the close of his term, President John Adams appointed a number of justices of the peace for the District of Columbia under the authority of an act of Congress approved 3 days earlier. These appointments were confirmed by the Senate and commissions were executed. However, at midnight on March 3, 1801, when the term of President Adams expired, several of the executed commissions remained undelivered in the office of Acting Secretary of State John Marshall, the newly appointed Chief Justice. President Jefferson, on coming into office the following day, directed his Secretary of State, James Madison, to withhold the commissions. Marbury, one of the appointees not receiving his commission, petitioned for a writ of mandamus, under the authority of section 13 of the Judiciary Act of September 24, 1789—First Statutes at Large, page 81—to compel its delivery. This section, among other things, attempted to empower the Supreme Court to issue writs of mandamus to any persons holding office under the authority of the United States.

The case fell into the lap of Chief Justice Marshall who held that, as applied to the Secretary of State requiring him to deliver to Marbury the commission signed by President Adams, the statute was an attempt to enlarge the original jurisdiction of the Supreme Court which was fixed by article III, section 2 of the Constitution. Marshall said that Congress had no more power to do this than it had to change the requirements for proof of treason established by the Constitution. Of course such attempted enlargement of jurisdiction was repugnant to the Constitution. But remember this, Marshall was speaking of the system of checks and balances—the constitutional division of powers among the coordinate branches of the National Government. He told Congress it could not empower the Supreme Court to issue writs of mandamus to compel the President to do an act which was within his constitutional discretion. This is an entirely different problem from that posed by the amendment of the Senator from Michigan.

The amendment of the Senator from Michigan is a limitation on the supremacy clause. Section 1 of his amendment already states that a provision of a treaty or other international agreement which conflicts with the Constitution "shall not be of any force or effect," whatever that means. Then he says that "notwithstanding" the supremacy clause, no treaty made after the establishment of the Constitution in 1789 shall be the supreme law of the land "unless made in pursuance of this Constitution." This provision involves the problem of the relationship of the Federal powers to State powers, not a problem of division of powers among the three coordinate Federal branches. This is the area in which the Senator from Michigan seeks to argue Marbury against Madison. He needs, instead, to examine the old arguments concerning dual-federalism and decisions like *McCulloch* v. *Maryland* ((1819) 4 Wheat. 316, 405–406) and *Gibbons* v. *Ogden* ((1924) 9 Wheat. 1, 210–211). You will recall that in the McCulloch case the Supreme Court upheld the power of the United States to incorporate a bank and it denied the power of the State of Maryland to tax that bank. Marshall noted that the Government of the United States was one of enumerated powers, and that within that

sphere of power, it was supreme. Said he:

The Government of the United States then, though limited in its powers, is supreme; and its laws, when made in pursuance of the Constitution, form the supreme law of the land, "anything in the constitution or laws of any State to the contrary notwithstanding."

Gibbons against Ogden the second case, was a suit instituted by Ogden, the assignee of the exclusive statutory right to navigate, by steamboat, the waters of the State of New York which was granted by the State to Robert R. Livingston and Robert Fulton. He sought to enjoin the operation, between New Jersey and New York, of two steamboats by Gibbons under licenses issued pursuant to an act of Congress. The State court granted the injunction but this was reversed by the Supreme Court. Said Marshall:

In argument, however, it has been contended, that when the law passed by a State, in the exercise of its acknowledged sovereignty, comes into conflict with a law passed by Congress in pursuance of the Constitution, they affect the subject and each other, like equal opposing powers. But the framers of our Constitution foresaw this state of things, and provided for it by declaring the supremacy not only of itself [the Constitution], but of the laws made in pursuance of it. The nullity of an act, inconsistent with the Constitution, is produced by the declaration that the Constitution is the supreme law. The appropriate application of that part of the clause which confers the same supremacy on laws and treaties, is to such acts of the State legislatures as do not transcend their powers, but though enacted in the execution of acknowledged State powers, interfere with, or are contrary to the laws of Congress, made in pursuance of the Constitution, or some treaty made under the authority of the United States. In every such case, the act of Congress, or the treaty, is supreme; and the law of the State, though enacted in the exercise of powers not controverted, must yield to it.

Thus Marshall himself distinguished the two situations.

It will be noted that Marshall distinctly separated the classes into laws of Congress made in pursuance of the Constitution, meaning thereby in execution of specific grants and treaties made under the authority of the United States. If the latter are placed under the same limitation as the former, they will be restricted to the execution of specific grants of power.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks quotations from great Americans with reference to the Constitution.

There being no objection, the quotations were ordered to be printed in the RECORD, as follows:

QUOTATIONS FROM GREAT AMERICANS ON THE CONSTITUTION

No man is a warmer advocate for proper restraints and wholesome checks in every department of Government than I am; but I have never yet been able to discover the propriety of placing it absolutely out of the power of men to render essential services, because a possibility remains of their doing ill. (George Washington, letter to Bushrod Washington, Nov. 10, 1787.)

I wish now to submit a few remarks on the general proposition of amending the Constitution. As a general rule, I think we would much better let it alone. No slight occasion should tempt us to touch it. Better not take the first step, which may lead to a habit of altering it. Better, rather, habituate ourselves to think of it as unalterable. It can scarcely be made better than it is. New provisions would introduce new difficulties, and thus create an increased appetite for further change. No, sir. Let it stand as it is. The men who made it have done their work, and have passed away. Who shall improve on what they did? (Abraham Lincoln, June 20, 1848.)

The Constitution * * * is unquestionably the wisest ever yet presented to men. (Thomas Jefferson, letter to David Humphreys, March 1789.)

We may be tossed upon an ocean where we can see no land—nor, perhaps, the sun or stars. But there is a chart and a compass for us to study, to consult, and to obey. That chart is the Constitution. (Daniel Webster, speech at Springfield, Mass., Sept. 29, 1847.)

The Constitution of the United States was made not merely for the generation that then existed, but for posterity—unlimited, undefined, endless, perpetual posterity. (Henry Clay, speech in the Senate, February 6, 1850.)

The American Constitution is the most wonderful work ever struck off at a given time by the brain and purpose of man. (W. E. Gladstone, Kin Beyond Sea, 1878.)

What other form of government, indeed, can so well deserve our esteem and love. (John Adams.)

[The Constitution is] the consummation of all former political wisdom; the trust of the present, the guide for all coming generations. (George Bancroft.)

Hold him an enemy to the country who derides fidelity to the Constitution and trifles with his solemn obligation to uphold it. (John Randolph Tucker.)

Mr. WILEY. Mr. President, I yield the floor.

THE INCREASE IN UNEMPLOYMENT

Mr. MORSE. Mr. President, on Sunday I participated in the Man of the Week television and radio program with representatives of the press. In the course of the program, we discussed the growing unemployment in the United States, and I commented upon the growing numbers of people in soup lines.

When the program was over, and until about 2 a. m. the next morning, representatives of some of the newspapers which are not particularly friendly to the junior Senator from Oregon called him on the telephone for further discussion of the matter of the soup lines. I wish to confirm today what I said to some of the newspaper editors and writers who called me, namely, there is no question about the fact that unemployment has increased to a serious degree. In fact, if we had accurate figures, which I am satisfied we do not have—because the administration cannot even agree on the base which it should use for measuring unemployment—I think they would show the number of unemployed persons in the United States today to be nearer 4 million than 3 million. There is no doubt that in various areas in the United States, especially in some of the industrial centers, there are today bread lines or soup lines.

Not many days ago I placed in the RECORD an article printed in the newspaper of the International Woodworkers, of Portland, Oreg., which contained pictures of a soup line at Blanchard House, one of the charity institutions of Portland, which feeds many unemployed men. The story, in part, said that more than 500 men were in the soup line on that particular day, and showed pictures of the soup line.

But when I talk about soup lines increasing in America—and I do talk about them increasing in America—I point out that every unemployment insurance line in America is a soup line in fact. Why are there persons standing in the unemployment insurance lines? They are in them to get the money necessary to feed themselves and their families, because they do not have the jobs with which to provide them with the cash to buy food. These are very orderly bread lines.

Judging from the comments of some of the newspaper editors who thought it was a terrible thing for me to mention soup lines and bread lines, the editors do not appreciate what the Democratic Party did for the United States when it sponsored the unemployment insurance legislation which now makes it possible to care for hungry people in a more orderly fashion than was the case in the Hoover-Mellon days. Now we have a rather orderly procedure for unemployed persons to call and get their unemployment insurance checks; but when they call for them, Mr. President, they are standing in a bread line.

The editors of the United States cannot gloss over that fact. They can decry all they wish to anyone's pointing out to the American people that the increasing unemployment under Eisenhower has increased the number of bread lines in the United States. That simply happens to be a fact. The records are perfectly clear that in State after State, including not only my own State, which but a short time ago had the highest unemployment rate in the United States, a rate of 12.7 percent, but also other States, such as Michigan, Missouri, New York, Pennsylvania, Ohio, and Illinois, in which are located great industrial centers and concentrations of large numbers of so-called mass-production workers, the unemployment insurance lines have increased by tens of thousands of fellow Americans.

That is why I repeat on the floor of the Senate what I said on the television program on Sunday: The soup lines and the bread lines have increased during the past year. It is about time that the administration stopped waiting for the Ides of March. The administration should come forward now, in keeping with the spirit and intent of the Full Employment Act of 1946, and provide a Government employment program which is necessary in order to put the unemployed persons back to work.

So to my editor critics, since my broadcast of Sunday, let me repeat on the floor of the Senate today: "I care not what the State may be, check with the unemployment insurance officials of the State and ask them how much the bread lines in the State have increased in the last few months by way of idle men and women calling for their unemployment checks." Fortunately, unemployment-insurance procedure is an orderly legislative procedure passed by the

Democratic Party, which recognized that, after all, the Government has the obligation of protecting the general welfare of individual citizens of the United States who find themselves unemployed but are willing to work.

In speaking of the increase in unemployment it should be noted that thousands of workers are working only 2 or 3 days a week. This loss in employment greatly increases the total unemployment figures in the country. Partial employment is also partial unemployment. Thousands of people working on part time cannot supply the purchasing power needed to check a recession. I am satisfied that this unemployment problem can and will be solved if this administration will only take the steps necessary to stimulate the purchasing power of the low-income groups of the country.

EXECUTIVE SESSION

Mr. SALTONSTALL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WILEY, from the Committee on Foreign Relations:

Henry F. Holland, of Texas, to be an Assistant Secretary of State, vice John M. Cabot;

John M. Cabot, of the District of Columbia, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Sweden; and

Edward T. Wailes, and sundry other persons, for promotion in the Foreign Service.

By Mr. MILLIKIN, from the Committee on Finance:

James W. Bingham, of Texas, to be collector of customs for customs collection district No. 22, with headquarters at Galveston, Tex.;

James L. Latimer, of Texas, to be collector of customs for customs collection district No. 21, with headquarters at Port Arthur, Tex.;

Roswell Buchard Perkins, of New York, to be Assistant Secretary of Health, Education, and Welfare;

Bligh A. Dodds, of New York, to be collector of customs for customs collection district No. 7, with headquarters at Ogdensburg, N. Y.;

Morton P. Fisher, of Maryland, to be a judge of the Tax Court of the United States, vice Eugene Black, retired;

Harold R. Becker, of New York, to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N. Y.; and

Frank M. Kalteux, of Illinois, to be Comptroller of Customs, with headquarters at Chicago, Ill.

The PRESIDING OFFICER (Mr. PAYNE in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

ADVISORY BOARD FOR THE POST OFFICE DEPARTMENT

The legislative clerk read the nomination of J. H. S. Ellis, of New York, to be a member of the Advisory Board for the Post Office Department.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CALIFORNIA DEBRIS COMMISSION

The legislative clerk read the nomination of Col. William J. Ely, Corps of Engineers, to be a member of the California Debris Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Col. Arthur H. Frye, Jr., Corps of Engineers, to be a member of the California Debris Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. SALTONSTALL. I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be immediately notified forthwith of all nominations this day confirmed.

RECESS

Mr. SALTONSTALL. As in legislative session, I move that the Senate now stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 59 minutes p. m.) the Senate, as in legislative session, took a recess until tomorrow, February 24, 1954, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate Tuesday, February 23 (legislative day of February 8), 1954:

ADVISORY BOARD FOR THE POST OFFICE DEPARTMENT

J. H. S. Ellis, of New York, to be a member of the Advisory Board for the Post Office Department.

CALIFORNIA DEBRIS COMMISSION

To be members of the California Debris Commission

Col. William J. Ely, Corps of Engineers.
Col. Arthur H. Frye, Jr., Corps of Engineers.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 23, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the God and Father of all mankind, may we have a clear understanding of the great mission of our country and our responsibility in preserving and perpetuating its ideals and principles.

Help us to sense the need of Thy guiding and sustaining presence as we daily confront conditions and circumstances which are far beyond our finite wisdom and strength.

Reveal unto us the secret of joyous and victorious living and may we be alert to every opportunity to prove to the world that we are a God-fearing and peace-loving nation.

May we be lovers of concord and earnestly strive in the spirit of unity and brotherhood to find the wisest and best solution to our many national and international problems.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On February 20, 1954:

H. R. 1129. An act for the relief of Katina Panagioti Fifflis and Theodore Panagiotou Fifflis;

H. R. 1496. An act for the relief of Mrs. Hermine Lamb;

H. R. 1516. An act for the relief of Mrs. Clemtine De Ryck;

H. R. 1674. An act for the relief of Setsuko Motohara Kibler, widow of Robert Eugene Kibler;

H. R. 2021. An act for the relief of Clarence R. Seiler and other employees of the Alaska Railroad;

H. R. 2633. An act for the relief of Lee Sig Cheu;

H. R. 2813. An act for the relief of William E. Aitcheson;

H. R. 2839. An act to enable the Hawaiian Homes Commission of the Territory of Hawaii to exchange available lands as designated by the Hawaiian Homes Commission Act, 1920, for public lands;

H. R. 2842. An act to authorize the Secretary of the Army to transfer certain land and access rights to the Territory of Hawaii;

H. R. 2885. An act authorizing and directing the Commissioner of Public Lands of the Territory of Hawaii to issue a right of purchase lease to Edward C. Searle;

H. R. 3027. An act for the relief of Tamiko Nagae;

H. R. 3228. An act for the relief of Mrs. Ursula Eichner Clawges;

H. R. 3280. An act for the relief of John James T. Bell;

H. R. 3390. An act for the relief of Eiko Tanaka;

H. R. 3619. An act for the relief of Rufin Manikowski;

H. R. 3728. An act for the relief of Mrs. Helen Bonanno (nee Koubek);

H. R. 4439. An act for the relief of John Abraham and Ann Abraham;

H. R. 4577. An act for the relief of Edith Maria Gore;

H. R. 4972. An act for the relief of John Jeremiah Botelho;

H. R. 5195. An act for the relief of Max Kassner;

H. R. 5379. An act to authorize the printing and mailing of periodical publications of certain societies and institutions at places other than places fixed as the offices of publication;

H. R. 5861. An act to amend the act approved July 8, 1937, authorizing cash relief for certain employees of the Canal Zone government; and

H. R. 5959. An act to exempt certain commissioned officers retired for disabilities caused by instrumentalities of war from the limitation prescribed by law with respect to